

HOWNIKAN

PEOPLE OF THE FIRE

Vol. 20, No. 6

Citizen Potawatomi Nation

June 1998

POW WOW!

Eye-popping colors, inspiring music, beautiful dancing and the joy of visiting with family and friends highlighted the 25th annual Potawatomi Pow Wow June 26-28. At right, Samantha Bointy, Kiowa-Comanche dancer competing in the Junior Girls Northern Shawl contest, joins the Grand Entry. Results of the dance competition are on page 15, and lots of photographs will appear in the next issue of the HowNiKan. In the meantime, a preview is available on the Citizen Potawatomi Nation web page, www.potawatomi.org



Turtle shell bags win annual art contest



First Place Art Contest Winner:
"Turtle Shell Bags Displayed on a Medicine Wheel."

The excellent quality of work and the very wide variety of media and subjects made judging difficult. Despite that, a decision has been reached in the Second Annual Citizen Potawatomi Nation Art Contest.

Barbara Potter of Oakland, California earned First Place with a series of "Turtle Shell Bags Displayed on a Medicine Wheel." Second place went to Clyde Slavin of , Oregon for his carving "Eagle." Sue Turner of Phoenix, Arizona, took third with her painting depicting "Potawatomis."

Potter was awarded \$300 for her win, in addition to the \$150 she had

earned for having won the Art Contest at the Regional Council Meeting in Oakland, California. Slavin earned \$200 as runner-up. Turner took home \$100 for third. Each had already earned \$150 for their first place finishes in the Regional Council Meeting contests in Lincoln City, Oregon and Phoenix, Arizona, respectively,

Before judging the nationwide contest, Alva Melot of Tecumseh, Oklahoma, selected first-, second-, and third-place finishers from among entries from artists "who are not represented by Regional Directors or Regional Areas." With her painting "Hurt Finger,"

portraying a Native American mother tending to her small child's injury, Emma Fletcher of Meeker, Oklahoma, took first.

Katy Lantagne of Shawnee, Oklahoma, was second with her "Sweat Lodge" oil painting. Sandra Walker earned third for her birch bark canoe and basket.

Fletcher's "Hurt Finger" then went into the judging in the Nationwide Art Contest, along with first-place art objects from the eight Regional Council Meetings.

(Please turn to page 3)

INSIDE:

For The Record Page 4
Kansas City Regional Council..... Page 8
Federal Appeals Court Decision Page 12

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TRIBAL TRACTS

Walking on

WILLIAM L. SLAVIN

William L. (Bill) Slavin Sr., born Jan. 18, 1910, in Lexington, Oklahoma, to James Slavin and Dellie Ott Slavin, died May 13, 1998, in Oklahoma City, Oklahoma.

He is survived by his wife, Sibyl Slavin, of the home; son, William L. Slavin and wife Patricia of Oklahoma City; daughter, Anita Ross of Oklahoma City; and step-daughter, Marvene Lynch and husband Tim of Choctaw, Oklahoma. Other survivors include grandsons Gregory Slavin, Devron Ross, Lance Ross, and Lane Ross, granddaughters Terri Miller and Tonya Cain; step-grandchildren Kelly Collins of Choctaw and Sean Lynch of Midwest City; and 9 great-grandchildren.

He was predeceased by a great-granddaughter, Chrystal Miller; brothers Frank, Roy and Thomas; and a half-brother, John Myers. He is also survived by brothers Joe of Burdette, Kansas, Robert of Shawnee, George of Lexington, Jesse of Lawton and sisters Alice Killian of Oklahoma City and Teresa Reed of Pampa, Texas.

Bill Slavin was a wonderful Christian, devoted to his family and his church. He was a member of the Citizen Potawatomi Nation, the Southwest Baptist Church for 33 years and a member of Sheet Metal Workers Union

#124 for 53 years. He was liked by all who knew him. His funeral was May 16, 1998 in Southwest Baptist Church with burial in Resthaven Cemetery Mausoleum in Oklahoma City.

OPAL MAE EAGER

Funeral services for Opal Mae Eager of Crowder, who died Friday, April 17, 1998, at McAlester Regional Health Center, were at the Crowder First Baptist Church with Bill Banks officiating. Burial was at Crowder Cemetery under the direction of Bishop Funeral Service of McAlester. She was 74.

Pallbearers included Rodney Hill, Richard Jennings, Tony Jennings, Matt Dudley, Markis Loveless, Mickey Loveless, and Nicholas Infield.

Born December 31, 1923 in Pawhuska, she was the daughter of Rueben and Elizabeth Louise Archambeau Pappan. She was raised in the Osage County area. She worked for many years as a cook at the Oklahoma County Juvenile Detention Center in Oklahoma City.

She married Dewey A. Eager April 27, 1955. She was a member of the Crowder First Baptist Church.

Survivors include her husband Dewey Eager; seven daughters and sons-in-laws, Mari Loveless of Edmond, Mona and Rick Infield of Albuquerque, N.M., Margaret and Tom Dudley of Crowder, Nita and Bill Richardson of Hominy, Danna and Carl Jennings of

Oklahoma City, Lisa and Robert McGregor of Oklahoma City, and Paula and Richard Coyle of Sparks; a son and daughter-in-law, Steve and Betty Pappan of Pawhuska; three step-daughters and spouses, Charlotte and Lloyd Hopkins of South Coffeyville, Linda Clark of Yates Center, Kan., and Sandi Eager of Burlington, Kan.; two step-sons and spouses, Jerry and Karen Eager of Sapulpa and Monte Eager of Oklahoma City; 26 grandchildren; and 24 great-grandchildren. She was preceded in death by her parents and four brothers. She was a descendent of Mary Pappan.

MARGARET SERAPHINE KAPPUS

Margaret Seraphine Kappus died in her home in San Carlos, CA on May 27, 1998. She was just two weeks shy of her 90th birthday. A native of Shawnee, Oklahoma, she had lived in San Carlos for the past 55 years. She and her husband Henry John Kappus moved to California in 1942 and to San Carlos in 1943.

Mrs. Kappus worked for 19 years at Litton Electronics Industry in the chemical laboratory and retired in 1970 to take care of her ill husband. She was a member of St. Charles Catholic Church, the Carlosian Guild, Senior Citizens of San Carlos, and the San Carlos Garden Club.

She is survived by two daughters,

Joan Reeves of Mountain View, CA, and Cathy Sten of Sacramento, CA, three grandchildren, four step-grandchildren, and two great-grandchildren.

Funeral services and entombment took place on May 29th at Alta Mesa Memorial Park in Palo Alto, California.

LAURA EVELYN GUINN

Laura Evelyn Guinn passed away at Sunset Estates of Maud on May 2, 1998, at the age of 88. She was born in Maud, Oklahoma to Peva and Dennis A. Mars. Mrs. Guinn was the granddaughter of Clarissa (Peltier) and Joseph Mars and Emma (Miller) Smith, Richardson of St. Louis, Oklahoma, and the great-granddaughter of Josephine and Alexander Mars.

Mrs. Guinn married Curtis (Russ) Guinn on July 2, 1927 in Tecumseh, Oklahoma. He preceded her in death on March 13, 1997.

She is survived by one daughter and son-in-law, Jacqueline and Al Jackson of Maud; two sons and daughter-in-laws, David and Shirley Guinn of Lakewood, WA. and Gordon and Mary Guinn of Ojai, CA; two sisters and one brother-in-law, Lucille Cartmill of Farmersville, TX and Ruth and Chester Phelps of Goldsby, OK; two brothers and sisters-in-law, Jack and Jane Mars and Warren and Imogene Mars, all of Goldsby, OK; 10 grandchildren and 10 great-grandchildren.

HOWNIKAN

PEOPLE OF THE FIRE

The HowNiKan is published by the Business Committee of the Citizen Potawatomi Nation with offices at 1601 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

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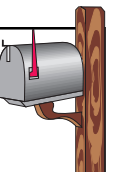
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Citizen Potawatomi Nation Business Committee
Chairman - John A. "Rocky" Barrett Jr.
Vice Chairman - Linda Capps
Sec./Treasurer - Gene Bruno
Committeeman - Hilton Melot
Committeeman - Jerry P. Motley

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<http://www.potawatomi.org>

From Our Mailbox



Chairman Barrett thanked for leadership, especially death benefit

Dear Rocky,

I take this opportunity to recognize the great fortune we have in your leadership of our Potawatomi Nation.

We have experienced many benefits during your tenure, not the least of which is the \$1,000 Death Benefit that comes at a time when it is needed to help defray the rising cost of laying to rest our beloved sister, Mother and

"Nana" — Hilda Marie Cordelia

Cornett, a descendent of Antoine and Archange Quilmette (Willmet), Joseph and Eleanor Willmet, Francis Louis and Augusta Willmet, and Paul and Emiline (Willmet) Nelson.

Please accept our deep gratitude for your dedicated guidance and continue the good work.

Sincerely,

Buck R. Nelson

Joan Marie Cornett (daughter)
Constance Louise Cornett (daughter)
Micah Leigh Yates (granddaughter)
Megan Nicole Yates (granddaughter)
Joshua Clay Yates (grandson)
Cassandra Marie Yates (granddaughter)

Rio Linda, California

Reader looks forward to HowNiKan, thanks Mary Farrell for help

To the Mailbox:

I just want to express my appreciation for the HowNiKan and the people who put it together. I look forward to reading it every month — it's informative about current events and historical ones, as well.

Thanks to the helpfulness and kindness of Mary Farrell, I learned I am

a distant relative of Jim Thorpe through his mother, Charlotte Vieux. (I am a descendant of John Nadeau.) So I was especially interested in the article about him in Feb. '98 HowNiKan and will save it for my grown children and coming grandchildren.

The information that Mary researched and sent to me about my

ancestry was amazing and I'm so grateful to her. I would never have known all the details if not for her. I've seen many articles on, and pictures of, the VIEUX family in the paper and it's really interesting to me.

Sincerely and with thanks!

Judy L. Magruder
Seaside, CA 93955

Elders Abuse Prevention conference set July 8

The Chiefs of Police from the Citizen Potawatomi Nation, Iowa Tribe, Sac and Fox Nation, Absentee Shawnee Tribe, Seminole Nation and Kickapoo Tribe, along with the heads of law enforcement agencies from across Pottawatomie County, will gather on Wednesday, July 8, 1998.

The occasion is the first annual Elders Abuse Prevention Center/Triad Conference. The Citizen Potawatomi Nation will host the conference in the Long Room of the Nation's Tribal Courts/WIC Program Building – the former CPN Administration Building. It will begin at 10:00 a.m. on July 8.

The Potawatomi Nation recently established the Elders Protection Center, with co-operation from area law enforcement agencies. The Center's goals are: establish lines of communication between Native American elders and law enforcement officers and agencies; educate Native American elders about the physical and fiscal dangers they face and how to avoid them; and, set up a telephone hotline to serve as a clearinghouse and referral point for information about services the elders can access.

"We are hosting this conference to introduce the Elders Protection Center and the Triad concept to law enforcement agencies from all over Pottawatomie County and, through them, to the community," said Norman Kiker, Citizen Potawatomi Nation Culture Programs Director.

Vickie Waugh, Elders Abuse Prevention Center Coordinator, said, "We also want to begin the process of introducing Citizen Potawatomi and other Native American elders from this area to the law enforcement officers with whom they will work on this project."

The Elders Abuse Prevention Center will be built around an information and referral hotline. "The information line will be staffed by Native American senior citizen volunteers," Waugh explained. "They will field calls from Native American elders who are seeking information on such issues as health, financial, security, and legal concerns."

Dave Kubiak, Citizen Potawatomi Nation Police Chief, will serve as the lead law enforcement official on the project. "The volunteers will accept Elders Abuse Prevention Center hotline telephone calls," Chief Kubiak said.

"Our department will work with the Elders Abuse Prevention Center to train volunteers on the nature of frauds and scams, and how to recognize the people who perpetrate them," said Hank Land, Shawnee Chief of Police. "The volunteers will share that knowledge with others."

Kiker said that, working with the Citizen Potawatomi Nation Police Department and these local law enforcement agencies, the Elders Abuse Prevention Center will provide seminars and other learning opportunities for local senior citizens.

"We are not seeking in anyway to replace the work that is being done by such existing senior citizens organizations as the AARP, Retired Teachers Association, local senior citizens center, or Shawnee Mayor's Council on Aging," Kiker said. Rather, the Citizen Potawatomi Nation will co-operate with any existing program and seeks to serve in areas where needs are not being met. "We will contact the local senior citizens programs to learn how we can best co-operate with them," Waugh said.

"Techniques and methods that work with other elders are not necessarily effective in dealing with the opportunities and problems the Native American elderly face," Waugh explained. "The Citizen Potawatomi Elders Abuse Prevention Center is designed to provide special attention to our Native American elders."

Waugh invited suggestions on topics for workshops and seminars. She said that any Native American senior citizen who wants to volunteer to assist others through the Citizen Potawatomi Nation Elders Protection Center can call her at 275-3121 or 800-880-9880.

There are more than 33 million senior citizens in the U.S. now. "That number represents a doubling in the senior citizen population since 1963," said Kiker. "We expect the older American population to more than double again within the next 32 years, approaching 70 million by 2030."

The population of Native Americans 55 or older within a 90-mile radius of the Citizen Potawatomi Nation headquarters in Shawnee is 196,220 — according to the 1990 census. Growth since then would make that figure more than 220,000 in 1998.

Judge praises quality of art entries

Melot, a former art teacher, coach and longtime school superintendent as well as an accomplished artist in his own right, told the *HowNiKan* that he considered originality, craftsmanship, and, in a painting, composition in making his decisions. "This was very good work," Melot said, in appraising the entries' quality. "The extra time and effort that these artists invested in their work shows."

Linda Capps, CPN Vice Chairman, coordinated the Art Contest for the Business Committee. "On behalf of the remainder of the Business Committee and the entire Citizen Potawatomi Nation, I want to express thanks to all the artists who entered."

"The Potawatomi are very talented people. The Art Contest demonstrated that," Capps said. "We also offer



Art Contest Judge Alva Melot And Norman Kiker Look Over Entries

heartiest congratulations to the winners."

The Art Contest will be offered for a third year as the 1998-99 round of Regional Council Meetings begins this

fall. The contest is open to enrolled Citizen Potawatomi artists. Entered works of art must have been completed within two years of the date of entry.

Bank wins award for student program

First National Bank and Trust Company of Shawnee has earned a first place award from the Oklahoma Bankers Association for the bank's community service work. First National earned its award in a category for banks with as much as \$50 million in assets.

The annual OBA Community Applause Awards recognize banks from across Oklahoma that have played active roles in their communities. Jane Lauderdale, First National marketing director, received the award at the OBA's 101st annual convention in Oklahoma City.

Johnny Bench, the Hall of fame Cincinnati Reds catcher and Binger, Oklahoma native, was the keynote speaker at the awards luncheon. Among his numerous

pursuits, Bench is now a banker himself.

The award recognizes a community relations program that First National Bank undertook in 1997.

First National developed a Student Board of Directors, with the goals of teaching high school juniors and seniors about the field of banking and better acquainting Shawnee-area youth with First National Bank.

The program also gives students an opportunity to meet and work with fellow students from seven schools across the area. They were selected based on their academic achievements and leadership abilities.

First National's initial Student Board of directors met once each

month, from September through December 1997. In January 1998, new board members were selected for a second board session. It concluded this past April.

Katie Williamson of Shawnee, a Student Board of Directors member, wrote of the program, "After attending the board meetings, I better understand the methods and procedures of banks. The Federal Reserve Bank field trip was such a good experience. I not only had a wonderful time but I also gained a plethora of information."

Evaluating the program, another student board member said, "I really enjoyed the meetings and feel more aware and that I was in one of the most profitable organizations in school."

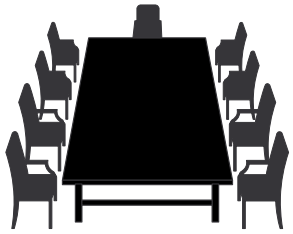
J. Chris McMurry, Business Management and Marketing instructor at Gordon Cooper Technology Center, saw the Student Board of Directors as a definite asset for his students. "The creation of the FNB Student Board of Directors has enabled our students to interact and become better acquainted with the greater Shawnee business community and its leaders," he said.

McMurry said that the program "provided a dynamic educational forum by allowing the students to hear and discuss business and community related issues."

Lauderdale coordinated the Student Board of Directors program.



Jane Lauderdale, Larry Briggs With Award



BUSINESS COMMITTEE MINUTES

BUSINESS COMMITTEE MEETING FEBRUARY 25, 1998

Present: Chairman John A. Barrett, Jr., Vice-Chairman Linda Capps, Secretary/Treasurer Gene Bruno, Committeeman Hilton Melot, Committeeman Jerry Motley, Deputy Administrator Bob Trousdale, Administrative Secretary Vickie Waugh, Public Information Director Michael Dodson, Human Resources Director Vickie Canfield, Tribal Rolls Director Mary Farrell.

Chairman Barrett called the meeting to order at 5:30 p.m.

Linda Capps moved to approve Acquisition Agreement No. 1997.112.1-20. The tribe is acquiring, from Woody Max Crumbo, items giving the tribe, title, transfer, copyrights and reproduction rights; Jerry Motley seconded. Passed 5 in favor, 0 opposed.

Linda Capps moved to approve the purchase of a 15 passenger van with wheel chair lift from Harveys, purchase price \$17,935.00; Jerry Motley seconded. Passed 5 in favor, 0 opposed.

Hilton Melot moved to approve Resolution #98-38 authorizing the submission of a Tribal Management Grant from the Indian Health Service to enhance the ability of the Citizen Potawatomi Nation to achieve accreditation of the Nishnabe Medical Center from the Joint Commission on Accreditation of Healthcare Organizations; Gene Bruno seconded. Passed 5 in favor, 0 opposed.

Linda Capps moved to approve Resolution #98-39 establishing the Citizen Potawatomi Nation Office of Self-Governance; Jerry Motley seconded. Passed 5 in favor, 0 opposed.

Hilton Melot moved to approve Resolution 98-40 endorsing Mr. Randy Grinnell for permanent placement as Area Director of the Indian Health Service, Oklahoma City Area Office; Linda Capps seconded. Passed 5 in favor, 0 opposed.

Hilton Melot moved to approve \$110,000.00 for construction of parking lots at Tribal Headquarters; Jerry Motley seconded. Passed 5 in favor, 0 opposed.

Linda Capps moved to approve advertising for painting and repairs at FireLake Golf Course; Gene Bruno seconded. Passed 5 in favor, 0 opposed.

Jerry Motley moved to approve the minutes of the December 3, 1997 Business Committee meeting; Gene Bruno seconded. Passed 5 in favor, 0 opposed.

Hilton Melot moved to provide computer systems to the Regional Council Offices; John Barrett seconded. Passed 5 in favor, 0 opposed.

Linda Capps moved to approve Internet access free to all school teachers in the Shawnee, Tecumseh and Bethel School Systems, all dependent school systems and all Potawatomi school teachers in the toll free Oklahoma City phone area; Gene Bruno seconded. Passed 5 in favor, 0 opposed.

Hilton Melot moved to approve Resolution #98-41

pertaining to the relinquishment of Rita Ann Cooper Youngbird and Gary John Cooper in order for them to enroll with the Prairie Band Potawatomi; Jerry Motley seconded. Passed 5 in favor, 0 opposed.

Linda Capps moved to approve Resolution #98-42 enrolling 11 applicants eligible under previous guidelines; Gene Bruno seconded. Passed 5 in favor, 0 opposed.

Jerry Motley moved to approve Resolution #98-43 enrolling 31 descendant applicants; Hilton Melot seconded. Passed 5 in favor, 0 opposed.

Gene Bruno moved to approve Resolution #98-44 enrolling 22 descendant applicants; John Barrett seconded. Passed 5 in favor, 0 opposed.

John Barrett moved to approve Resolution #98-45 enrolling 28 descendant applicants; Linda Capps seconded. Passed 5 in favor, 0 opposed.

Jerry Motley moved to approve Resolution #98-46 enrolling 28 descendant applicants; Gene Bruno seconded. Passed 5 in favor, 0 opposed.

Gene Bruno moved to approve Resolution #98-47 enrolling 29 descendant applicants; Linda Capps seconded. Passed 5 in favor, 0 opposed.

Business Committee recessed at 8:40 p.m.

Business Committee reconvened at 8:55 p.m.

There being no further business before the Business Committee, Hilton Melot moved to adjourn; Gene Bruno seconded. Meeting adjourned at 10:00 p.m.

WELCOME, NEW CITIZEN POTAWATOMI NATION ENROLLEES!

The following tribal members were enrolled under previous guidelines:

Ballard, Karen Olea York
Calhoun, Beverly Louise Rhodd
Calhoun, William Lee
Cottman, Henry Douglas
Delnick, Linda Lee Calhoun
Hartwell, Susan Jane Hasker
Hoggard, Carolyn Sue Statham
Holzmeister, Jon David
Johnson, Katherine Marie McKinney
Kastl, Margaret Lazelle
MacMillen, Andrew Nichols
Moss, Daman Lynn
Moss, Jacqueline Joyce Lazelle
Shaw, Cladie Wynell Weld
Shaw, John William Jr.
Smith, Jamie Gauridas
Smith, Stephen Govinda-Da
Statham, Phillip Howard
Wamego, Dillon Matthew
Wamego, Joseph Allen

The following tribal members were enrolled under descendancy:

Abiri, Michelle Ann McCarty
Adams, David Michael
Allison, Julee Ann
Allison, Michael Patrick
Arrasmith, Brant Connor
Ayers, Sara Gayle
Baptiste, Wesley Kamar
Bickford, Connor Neal
Blankenship, David Wayne

Boisclair, Pierce Carlisle
Boisclair, Alexandra Marie
Bradford, Gaebrielle Auntawnette
Bridges, Julianna Marie Hill
Bryant, Jordan Lucas
Bryant, Shanda Elaine
Busey, Ashley Nicole
Busey, Craig Lee
Busey, Jessica Dawn
Busey, Patrick Allen
Busey, Shelly Sue
Byler, Christina Ann
Byler, Daniel Joe Jr.
Byler, Penny Dawn
Cearley, Heath Van
Clementson, Cole Daniel
Clementson, Jace Matthew
Clementson, Lucas Bryce
Cline, Tyler Shane
Compton, Victoria Ida
Cottman, Anthony William
Cottman, Brian Douglas
Cottman, Christopher Lee
Cottman, Kia Marie
Cottman, Levi Robert
Cottman, William Robert
Cowan, Maria Shyanne
Coyle, Caleb Johnathon
Coyle, Jazzmin Elaine Rose
Cribbs, Heath Samuel
Depel, Misty Ruchelle
Dutton, Charles Terry Jr.
Earven, Joshua Ray
Earven, Steven Ray
Emert, Daniel Preston
Ford, Brittany Nicole
Ford, Kimberly Ann Slavin

Foster, Christina Michaela
Foster, Kevin James
Garrilts, Deborah Marie Slavin
Gaston, Misty Renea
Gaston, Roman Michael
Goheen, Geoffrey Michael
Goheen, Scott Alexander
Gray, Trudy Kay Cole
Gross, Dustin Michael
Habegger, Scott Allen
Hamel, Megan Ann
Hartsfield, Dusty Michelle
Haynes, Hayley Renne'
Hill, John Wallace Vincent
Hill, Stephanie Frances
Hockersmith, Lucena Ruth
Lehman
Hoggard, Kenyon Ray
Hoggard, Kristen Kay
Hoggard, Stephen Patrick
Holzmeister, Adam Michael
Holzmeister, Emily Jean
Holzmeister, Erin Elizabeth
Hoover, Daniel Lee
Hostetter, Ryan David
Howard, Brenna Danielle
Hyatt, CaSandra Lane
Jacques, Julie Ann
Jacques, Sarah Beth
Jansen, Alexander William
Johnson, Austin Michael
Johnson, Charles Stone Anthony
Johnson, Dustin James
Johnson, Ginger Rachiell
Schmidlkofer
Johnson, Jarrad Dean
Johnson, Jessica Lynn

Johnson, Rachel Beth
Jolley, Alex Jordan
Jolley, Dustin Paul
Killian, Isiah Jarome
Killian, Nathan Leo
Labrum, Laureen Michelle
Lambert, Jimmy Wayne
Lehman-MacMillen, Karina Margaret
Lewis, Jacob Richard
Linnebur, Charles Aloysius
Logsdon, Jarad Matthew
Long, Terry Renee
Lupton, Ashlyn Taylor
Maple, Laraine Evonne Baglin
Marler, Cullen Gerald
Marler, Samuel Jesse
Melot, Daniel Ray
Melot, Sarah Beth
Moore, Alexis Layne
Moore, Chadwick Elton
Nanna, Christopher Michael
Norman, Chasity Faith
Oblander, Cody Lee
Oblander, Riley J.
Ogee, Jack Howard
Ohse, Emily Rose
Partain, Nicholas Cale
Pena, Samantha Margaret
Penn, Austin Charles
Pfeffer, Blake Andrew
Pope, Joshua Thomas
Price, Allyson Leigh
Rinehart, Leslie Logan
Rinehart, Robbie O'Neil
Risinger, Miranda Jean
Risinger, Thomas Carol

Schmidt, Carlye Dawn
Schmidt, Mallory Lane
Shelton, Matthew Shane
Slavin, John Ernest Jr.
Slavin, Michele Renee
Smith, Chelsie Ann
Springer, Michael John
Springer, Nicole Marie
Statham, Ashley Nicole
Stewart, Breylyn Shaemarie
Stroebe, Alyssa Kalee
Sullivan, Brady Dylan
Sullivan, Kenneth Andrew
Tinney, Robert Wayne
Tripp, Benjamin Zane
Trout, Ashley Kaylynn
Varney, Brent Robert
Wall, Erica Lynn
Wall, Nathan Robert
Welch, Adam Lee
Welch, Matthew Kyle
Wells, Bobbi Jane
Wells, Chelsea Lynn
Wells, Terri Lynette Busey
Whitney, Ashley Brooke
Wicker, Kyle Don
Wicker, Tammy Renee Tipton
Wilkins, Austin Cromwell
Wilson, James Michael
Wilson, Linda Marie
Wingfield, Shelby Lynn
Withrow, Chelci Sharae
Zeiders, James Michael
Zeiders, Joseph Adam
Zeiders, Kristin Diane Laurene Crosby

RED EARTH!

Citizen Potawatomi Nation Princess represents tribe at annual Oklahoma City event



Potawatomi Princess Kristy Phillips In Red Earth Parade



Left: Edith Phillips, Blessed Katari Princess for the Sacred Heart Mission. Below: Colorful Regalia Of Many Tribes Makes Red Earth A Premier Native American Event



(Editor's Note: A pair of sisters from the small town of Maud are representing the Citizen Potawatomi Nation with pride. Kristy Phillips is Citizen Potawatomi Nation Princess. Younger sister Edith is Sacred Heart Mission's Katari Princess. The HowNiKan asked Kristy and Edith to write about themselves and their experiences.)

Bozho! My name is Kristy Phillips. In Bo De Wad Mi, my name is Mbish Kwe. I am the daughter of Ginger Tredway Phillips (Citizen Potawatomi) and Joseph Phillips (Lumbee).

My grandparents are Fred Tredway and Marie Nave Tredway (Citizen Potawatomi) and Francis Oxidine Phillips (Lumbee Nation). I am the great-granddaughter of Edith Rhodd Nave (Citizen Potawatomi) and the great-great granddaughter of John B. Rhodd (Citizen Potawatomi Nation) and Adeline Thorpe Rhodd (Sauk & Fox/ Citizen Potawatomi).

I am the great-great-great-granddaughter of Charlotte Vieux (Lewis Vieux's granddaughter) and Zoe Bruno.

I am a sophomore at Maud High School and earned valedictorian honors this past school year. I am very interested in music; I play the trumpet and have recently begun taking piano lessons.

I am also active in school sports and academics. I have no one favorite school subject because they are all my favorites. Because medicine is the field I wish to enter, I am most interested in science.

As of right now, my goal is to be the best representative of the Citizen Potawatomi Nation that I can be. My hobbies are writing poetry and short stories. I am a practicing Catholic and attend C.C.D. classes every week.

Being Citizen Potawatomi Nation Princess is one of the most incredible experiences that I have ever had. One of the reasons is that I have met so many supportive and wonderful Bo De Wad Mi. I am proud to be part of such togetherness. We have come far.

This year, I have learned more of the rich Bo De Wad Mi culture by taking language classes with Rev. Norman Kiker and by learning some of the old ways taught by my din wa mah gin.

I entered the arena as a small child and was in awe of the many tribal princesses who represent their tribes with pride and grace. Now that I'm Princess, I am being taught that I need to instill that same awe in all the next Bo De Wad Mi generation of girls who wish to represent our tribe with the same pride and grace.

I have always been taught to be proud of our Native American blood. At school, there is no exception. Everyone there knows of the greatness and pride of my Native American blood. Part of the problem of today's youth is lack of knowing who they are. No one should be ashamed of who they are and where they came from.

Pa ma me ma,

**Kristy Phillips
Your Tribal Princess**

My name is Edith Elizabeth Phillips. My Bo De Wad Mi name is Mbish Don Kwe. I am twelve years old and attend Maud Junior High School as a seventh-grader.

I love school, and I make As and Bs. My favorite subject is math. My goal is to be the Bo De Wad Mi Princess, when I am old enough. I hope to become a surgical doctor and help our people. I am a Maud cheerleader.

Recently, I had the privilege of doing a television commercial sponsored by the Bo De Wad Mi, titled "Smoke Out," under the guidance of Shirl Hubert and Dennette Brand.

I think this was a neat experience because a lot of children my age are under the pressure of drugs. I hope this commercial helps.

I enjoy learning more about my Bo De Wad Mi culture, taking language classes, which are taught by Rev. Norman Kiker. I also enjoy learning to bead and tan deer hide, taught by my din wa mah gin.

Most of all, I love to dance, which is what I have been doing since I started walking.

Being Blessed Katari Princess for the Sacred Heart Mission, to me, means showing my Native American pride and my love for my religion. At school, I tell my friends that I am proud to be Native American, and how much fun it is to enter the arena.

Igwyen,

Mbish Don Kwe



Gov. & Mrs. Frank Keating



State Senator Kelly Haney

TRIBAL TRACTS



Mr. & Mrs. Jason Oakes

Amanda Trousdale wed May 16

Amanda Trousdale of Tecumseh, a Citizen Potawatomi tribal member, and Jason Oakes of Texhoma, Oklahoma were married on Sunday, May 16, 1998, at the First Baptist Church of Shawnee. The Rev. Bob Anderson, pastor of Highland Church of Christ, and the Rev. Chris Trent, minister of the First Baptist Church of Guymon, Oklahoma, officiated.

The bride is the daughter of Cherie and Bob Trousdale, Deputy Tribal Administrator of the Citizen Potawatomi Nation, residents of Tecumseh, Oklahoma. She is a graduate of Tecumseh High School.

The groom is the son of Mr. and Mrs. James Oakes, Jr.

Vocalists for the wedding were Tiffany Cordray, Jason Dean, Jaime Oakes, and Billy Roddy, with Dr. Ron Lewis accompanying on the organ and Susan Clothier playing the trumpet.

The bride chose a white bridal gown of silk satin and silk organza, designed with off-the-shoulder styling. The fitted bodice featured a basque waistline and tulip skirt with layers of organza edged with silk satin. She carried a nosegay of white roses.

B.J. Trousdale, sister of the bride, served as maid of honor. Bridesmaids were Anne Logan, Hally Rector, Mindi Myers, Traci Kreger, Mary Branson, and Karri Etchieson.

Jaime Oakes served the groom as best man. Groomsmen were Graham Roberts, Kent McKeaigg, Cory Hicks, Alton Lusk, Brandon Hodges, and Sonny Stafford.

Matt McLure, Ryan Stafford, Jason Taylor, Scott Schaeffer, Jay Nunley, Kyle Humphrey, and Ryan Lauderdale were the ushers.

Cheryl Ann Coleman, Brooklyn Trent, Lauren Nuendorf, and Emily Long were the flower girls. Maximillian Naifeh was the ringbearer.

The rehearsal dinner was held at Shawnee Golf and Country Club.

Following the exchange of vows, an outdoor reception was held at FireLake Pavilion, with Julie Schilt, Kate Ingham, Katie Long, and Tamra Trousdale registering guests.

The couple honeymooned in Europe and now live in Tulsa, Oklahoma.

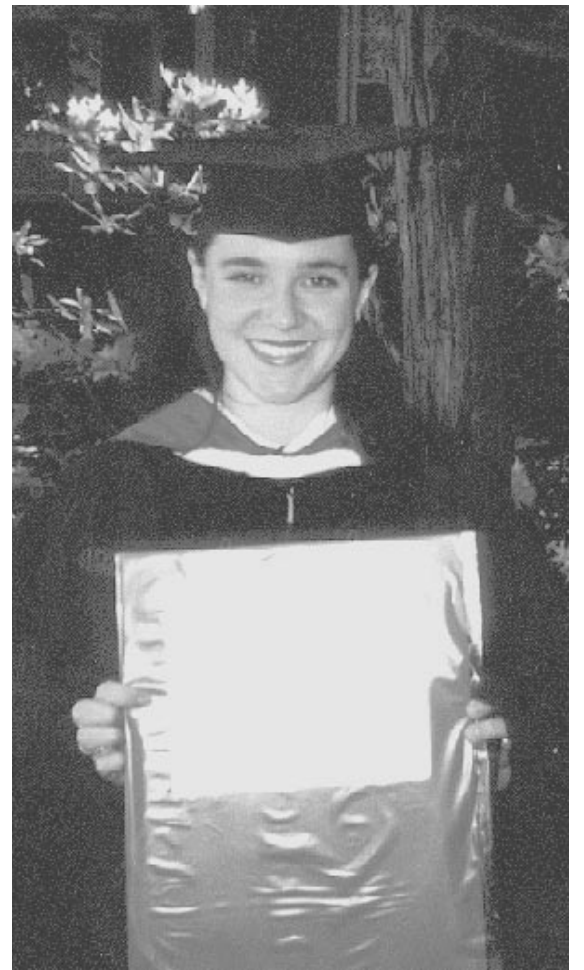
Meanwhile, Amanda (Trousdale) Oakes has been named one of Oklahoma State University's Top Ten Seniors in the College of Business Administration.

Gary Grennepohl, Dean of the OSU College of Business Administration, presented the award to Oakes at the 45th Annual CBA Honors and Awards Banquet. The award is based on her organization leadership, citizenship, and scholarship.

A Management Major, Oakes maintained a 3.78 grade point average at Oklahoma State. She is a member of numerous campus organizations and honor societies, including: Phi Kappa Phi, Business Student Council, Mortar Board, Order of Omega, Student Alumni Board, Kappa Kappa Gamma sorority, Homecoming Steering Committee, and the President's Honor Roll.

Harvard Degree

That's a Harvard law degree Angela Riley is holding in her hands. Riley, a descendant of Lola Pettifer and Effie Leonard, was the recipient of the first Wilfred Bibb Memorial Scholarship from the Citizen Potawatomi Nation, was graduated from the Harvard Law School with a Juris Doctorate degree on June 4. Prior to that, the Oklahoma native was an honors graduate in letters from the University of Oklahoma. After clerking with a federal judge in Tulsa this summer, Riley will join a California law firm. "The Business Committee and the entire tribe are very proud of Angela's accomplishments," said Chairman John A. Barrett.



Senior Golf Tourney

The 8th annual Seniors Golf Tournament, coordinated by Bob Shubert and Harold Trousdale, was held April 17. The first place team (above), which won \$280, consisted of Thurman Edwards, Freid Algia, Glen Siler, and Dwain Venis. The second place team (right) included Bill Gregory, Bernice Gregory, Ron Melhouse, and Em Melhouse.



Potawatomi sculptor chosen to create veterans memorial

(LOVELAND, CO) — The National Native American War Memorial Complex Committee recently selected Denny Haskew of the National Sculptors' Guild to create its Veteran's Memorial in Monona County in Western, Iowa. Haskew will also design the surrounding complex site.

Haskew is a member of the Citizen Potawatomi Nation, a resident of Loveland, Colorado, and a Viet Nam-era veteran. Haskew and John Kinkade, executive director of the National Sculptors' Guild, visited the site in May to initiate the design phase of the project. They attended a blessing of the site. Haskew shared his vision for the Memorial and joined others in a program entitled "Forgotten Warriors: Our Need to Remember," during a reception on May 29.

As the central element of the site, the memorial sculpture will be supported by a multiple-use complex that will include a visitors' center, a museum and exhibition hall, a conference center, an amphitheater, a vendors' marketplace, campgrounds, picnic pavilions, walkways, trails, and parking.

The comprehensive multi-phased master plan for the complex site will respect Native American cultural values and ethics.

This announcement follows other important placements by Haskew and the National Sculptors' Guild. Together, in the last year, they have installed monuments for River Run Resort at Keystone, Colo.; a six-figure monument at the entry of the Baron Casino in Lakeside, Calif.; and entryway rock-climber sculptures for American Stores Properties in Salt Lake City, Utah.

These placements preceded shipment of Haskew's monumental bronze sculpture, "Strength of the Maker," to the Smithsonian Museum to become a part of its National Museum of the Native American, presently located at the Customs Building at New York City.

In April 1998, the Gilcrease Museum in Tulsa, Oklahoma announced that it also will acquire "Strength of the Maker" and establish a permanent site on its grounds for this remarkable sculpture.

"As Denny Haskew has grown in stature and achievement, he has become one of America's most prominent contemporary sculptors," said J. Brooks Joyner, Gilcrease Museum Curator. "The dramatic form, rich content, and evocative spirit of his work has captivated lovers of art, collectors, and museums for the past 12 years, and established him as a significant figure in the development of sculpture in the United States at the close of the 20th century."

Joyner further stated that the Gilcrease Museum, recognized for its unparalleled collections of American Western Art, is thrilled to acquire for its permanent collection the magnificent bronze titled "Strength of the Maker" by Haskew. This work is a quintessential Haskew masterpiece, rich in emotional power and displaying uncompromising



Denny Haskew With Clay Original Of "White Deer Of Autumn," A Recent Work Which Was Featured On The Cover Of *Southwest Art* Last July

craftsmanship as well as keen understanding of the subject that breathes life into the rigorous formal elements of the bronze medium.

The announcement of Haskew's selection comes after years of work by the NNAWMC committee, who recognized that since the beginning of the 20th century, Native American men and women have volunteered to serve in the United States Armed Forces at a proportionally greater rate than any other racial group in the country.

The loss of lives of these warriors in the defense of our nation is equally proportional. Dr. Leonard Bruguier, Yankton Dakota and Vietnam combat veteran, Vermillion, S.D.; Lois Sherr Dubin, New York City; and Carol Miller, Charter Oak, Iowa; founded the NNAWMC organization. They have since been joined by many dedicated volunteers, including Frank LaMere, a member of the Winnebago Tribe of Nebraska and one of only two Native American members of the Democratic National Committee.

The United States Congress recognized the need to pay tribute to these Native American warriors by passing a bill to establish a national memorial in Washington, D.C. Ultimately this bill was put on hold on the basis that it would violate federal restrictions on memorials in the Capitol.

In an effort to remember these warriors, the non-profit NNAWMC has as its mission the creation of a national memorial to honor and recognize American Indian veterans who made the ultimate and supreme sacrifice in the defense of our country. An additional goal is to provide an unparalleled center dedicated to the studies of America's *First Peoples*, open to all, which will

provide a setting conducive to physical and spiritual renewal, healing, and educational enrichment.

The committee selected Loess Hills of Western Iowa as the setting for the Memorial Complex, which will welcome all interested people from the international community who will come to honor these fallen warriors. It will also support America's Native Peoples, their reverence for the earth, and their commitment to a world embracing all nations and all peoples.

Construction of the facilities of the Memorial Complex will begin with the memorial itself, a primary portion of the Visitor's Center and Museum as well as adjacent parking areas and accessory campgrounds. An innovative incremental construction system is proposed. It will allow each facility of the complex to be developed with minimal disruption to the existing structures while maintaining the character and quality of the complex.

Another component of the Memorial Complex, a Spiritual Retreat Center, will offer individuals and groups a place to retreat from the world for contemplation, spiritual renewal, and healing. The retreat center will be located at an independent site in the Loess Hills near Council Bluffs, Iowa, connected to the Memorial by the Loess Hills Scenic Byways. The "spiritual heart" of the retreat center will be the Haskew sculpture that will represent his view of the spiritual meaning of the overall site.

In September 1996, Terry Moore, Prairie Band Potawatomi and Korean

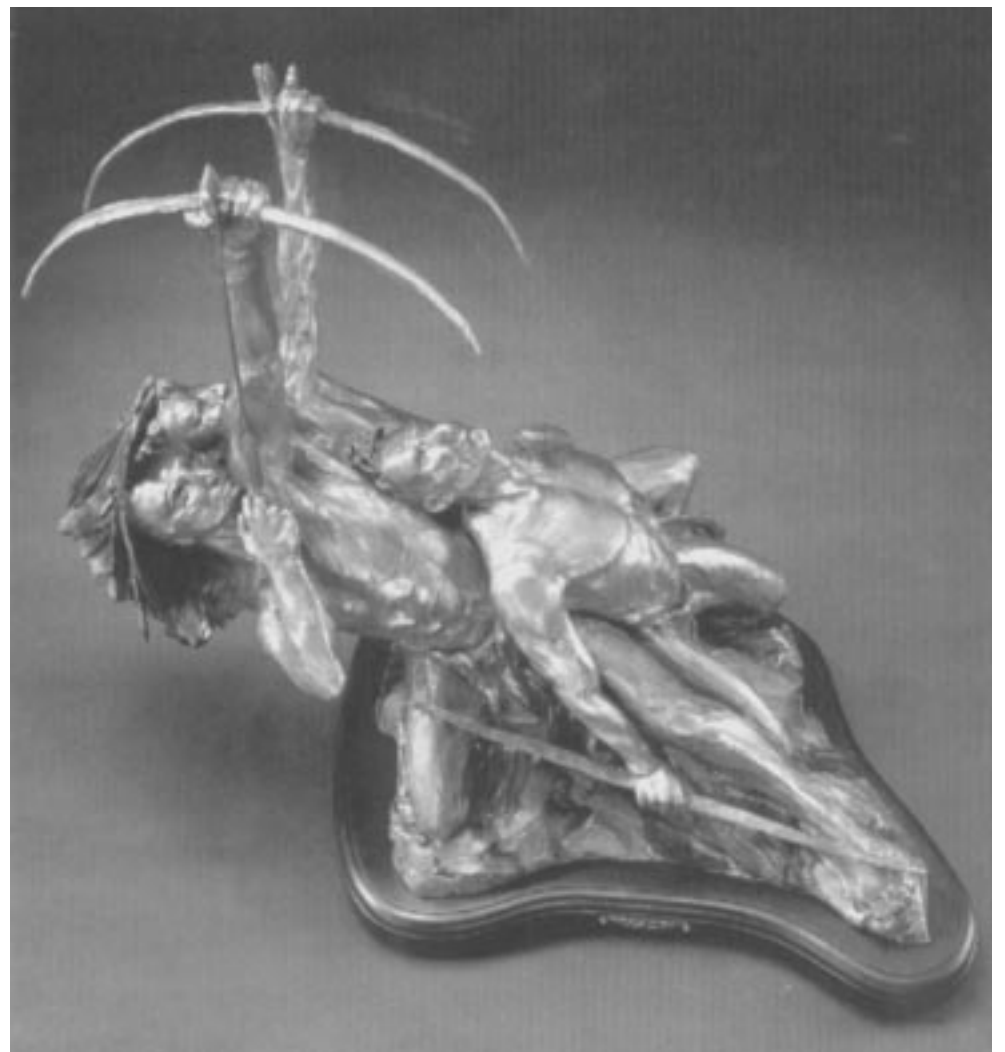
War combat veteran, assumed the presidency of the organization. Further developing a base of local and national support, he created a local development council and embarked on establishing a national committee of veterans. Moore continues to lead the efforts to bring the project to fruition.

Support for the memorial and multi-use complex has come from both local and national sources. Various programs within the State of Iowa, individuals, corporations, and foundations have assisted in the initial organizational and developmental stages of the project.

Gary and Patty James of Council Bluffs made a major contribution that has moved the project from the initial conceptual stage to the physical development stage. The couple donated land midway between Council Bluffs and Sioux City, Iowa, in the heart of the Loess Hills.

Efforts to raise funds for the project are underway at local and national levels. For the 1998 fiscal year, gifts and grants totaling more than \$50,000 have been awarded to NNAWMC. Contributors include the Iowa Department of Cultural Affairs; the Iowa Humanities Board; the Winnebago Tribe of Nebraska; the Sac and Fox Tribe of Missouri of Reserve, Kansas; and the Barona Band of Mission Indians of California.

The first all-Indian Legion Post in the country — the American Legion We-Ta-Se Post 410 of Mayetta, Kansas — was the first legion post to sponsor the project. Its members are from the Prairie Band Potawatomi.



"Courage To Lead," Another Of Haskew's Works



Midwest Region Radisson Hotel, Overland Park



Gene Bruno presents a stuffed bison to the youngest enrolled member, 8-day-old Kylie Sprague. Mom Ronda looks on proudly.



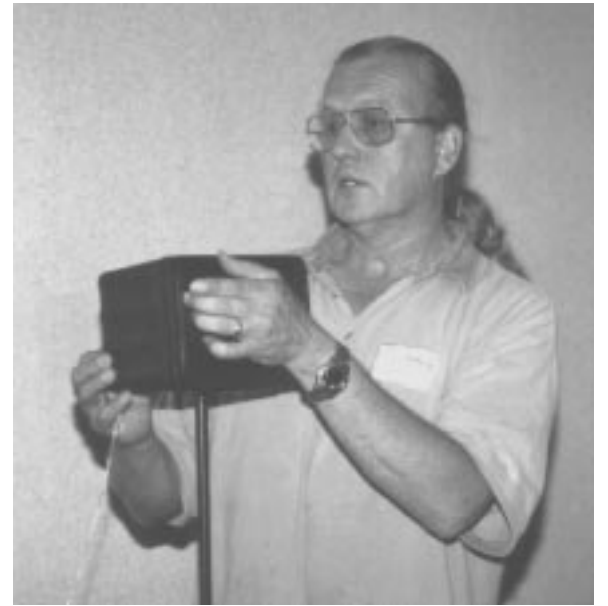
Below: Chairman Barrett with Tammy Barrett's anti-child abuse public service announcement, which took first place in the regional art contest.



Chairman Barrett congratulates third-place art contest winner Emily Roche.



Regional Council Work, Kansas, May 30, 1998



Bill Welch assisted with the sound system.



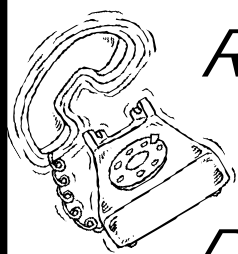
**Above: Orville Adams was the wisest Potawatomi at the Kansas City Regional Council meeting.
At right: Chairman Barrett with Tammy Barrett and children Natasha, almost 2, and Sierra, 4.**



Tribal members snapped up items from the traveling Museum & Gift Shop.



Walter Luthie scored a second-place finish in the art contest.



Regional Office Directory

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Toll-Free (800) 874-8585

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MIDWEST

Maryann Bell

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Local (816) 761-2333
Toll-Free (800) 325-6639

REGIONAL REPORTS

Northern California

Bosho, niconi,

It has been a quiet month, phone-wise. Hope you are all well and happy. I was lamenting our lack of true spring/summer weather when I heard what happened in South Dakota and the eastern states. I went right out and said prayers for those folks and thanked Creator for keeping us safe. We take so much for granted.

Barbara Potter gave me a list of books from Michigan which might interest you. "People of the Three Fires," Abe Na Beng (with photos of current generations and several generations ago-Michigan Pots), and "Walk in Peace" (traditional stories). They can be ordered from Bob Bowman, 1700-28th Street SW, Grand Rapids, MI 49509.

They are \$12 each. Bob is Sault St. Marie Chippewa. If you have books to suggest (historical, or otherwise ... even craftbooks), please let me know and I'll share them in my reports. I'm working on a list.

My pow wow list ended at July 10th or so the last time, so here are some more for you to consider:

JULY

31-2 — 30th Annual So. Cal. Indian Ctr. PW, Orange Co. Fairgrounds, Costa Mesa, CA (714)663-1102

AUGUST

1-2 — 26th Annual Indian Fair Days PW, Northfork Rec. Ctr., Northfork, CA (209)877-2115

7-9 — O'Neil Park PW, Sacramento, CA (916) 421-0657*

15-16 — 2nd Annual Pomo Indian Days Celebration, Mendocino, CA (707)964-3041

28-30 — 6th Annual Spirit of Wovoka Days PW, Yerington, NV (702)463-2350 eve.

*This one had different dates on different calendars. As with all pow wows, you should call ahead to be sure of when and where.

Well, that's it for this time. Let me know if you need forms or information. I should have a more interesting report when I return from our pow wow in Shawnee. Hope to see some of you there.

Bama mine',

— Jennifer J. Porter

Washington/Oregon/Idaho

Bozho Nikan;

Ni ji na? Our yearly business meeting for the Northwest has come and gone. It was a very informative meeting, although the attendance was far from what I was expecting. Almost as many Washington members attended as there was Oregon members. I know it was Mother's Day weekend, but we had a beautiful day at the beach and a wonderful meal for those mothers that came.

The Business Committee's information on the happenings back in Shawnee was very exciting. Michael Dodson, a new employee to our Shawnee team, came to meet all of us and to take pictures for the HowNiKan newspaper. David West gave a very informative talk about education and what is being done here in Oregon as well as other states and with other tribes. Thank you, Dave, for being my right-hand man.

I also want to thank Rocky Barrett and the Business Committee for honoring me this year, by asking me to be head gourd dancer at our Pow-Wow in Shawnee. I am indeed excited and thrilled. I guess I will be busy building some new parts for my regalia. I was also given another honor when Bob Trousdale presented me with a silver pin that has a dance fan and a gourd rattle with silver feathers. It will have a special place on my gourd dance sash. Bob really overwhelmed me with this gift. All this on my birthday! Wow, what a day!

I thought I might give a little on the presentation of Eagle feathers. The Native Americans believe that the Eagle is a gift from the Great Spirit. The Eagle carries the tobacco smoke from our prayers, on his wings, to the Great Spirit, our Lord God. The Eagle is the most revered of all birds.

I myself feel when we are honored with an Eagle from the U.S. Repository, that we are only caretakers of the feathers and these feathers will be passed on from generation to generation or if you see someone that you feel needs and deserves a feather to use in a religious way, such as Grand Entry to a Pow-Wow, any type of Indian gathering, to smudge with or use in their regalia, then share these gifts of feathers with that Native American. T

This helps to keep the life of the Eagle feather and puts it to use in the way it was intended. When you feel the need

to give a feather to a fellow Native American, do so in private, never make a show of it, unless it is an Honor Award for recognition of some sort. Always be sure they are aware of the honor of owning a feather and that they know how to care for it in an honorable way.

I will talk with all of you again after my trip to Shawnee. Wish you could all go with me.

Megwich,

— Rocky Baptiste

Anyone will move over to let you pass, if you know where you are going.

Southwest

Bourzho from Pasadena!

Another pow wow in Shawnee, and this one promises to be one of the best! The 25th! Can you believe it?

Last year's "Potawatomi Night" proved to be a great idea, and so it's being repeated this year. It's great to see all our Potawatomi dancers out there in the circle. The feeling of family is so thick you can cut it with a knife. (Maybe that's not so smart a way of putting it ...)

This year I will have the boys, our daughter, and my beloved wife Mardesia with me. I am so blessed. To have such a fine family is truly to live life's ultimate reward. And then, to have the additional blessing of a wonderful extended family in all of you makes me very grateful and humble before our Creator.

One of the greatest of all blessings, though, has been my mother, Maxine Mangold, nee Bounds. She has been there for me in so many ways, from the day I was born to today. The story of her life is the stuff of which novels are

made. Back in the '70s, when women's lib was in vogue, and considered "new," I asked her when she became liberated. She replied, "I never knew I had to be. I just did what I wanted, and figured to hell with those who couldn't handle it."

As many of you know, my daughter's name is Julia Maxine Marie. That's where the "Maxine Marie" comes from. I hope my daughter grows into the same kind of intelligent, multi-faceted, multi-talented, confident woman my mother is. Thanks, Mom, for all you've done and continue to do. (Caleb, Ellis, and Julia send their love, too!)

Strengthened by the knowledge of our history, may each of your hearts be filled with reverence for those who came before, whose countless moccasins marked the path so clearly for us; with love for our brothers and sisters who walk this path at our side; and we hope for those who will follow, even to the seventh generation.

Megwetch,

— Jeremy Bertrand Finch

REGIONAL REPORTS

North Texas

We planned a trip to Arizona in May to beat the heat as reports of 115 degrees in August was not our idea of fun. So we spent a week in Yuma, getting up for our morning walk with the weather in the 60s and sightseeing in the afternoon in the 80s. The weather was absolutely beautiful. And it was easy to get up and walk at 6 a.m. since our bodies thought it was 8 a.m.

Believe it or not, there is a lot to see in Yuma. Found out it is an agricultural community with irrigation helping out. The main reason for our trip was to see our new grandson and of course, he is

the most beautiful baby born on April 12, 1998. Then, there are the other seven beautiful and talented grandchildren. We visited with the other two grandsons and oh yes, the son and daughter-in-law.

Our daughter, son-in-law and beautiful 14-year-old granddaughter from El Cajon, California came to Yuma and we all had a nice family visit. Then we returned to Texas to the haze in the air and lovely temperatures. I thought it was August. It is like the middle of a really miserable summer with the plants looking wilted and much worse for the

wear from the heat. So I am looking forward to visiting Oklahoma. The weather there as shown on the weather reports looks much nicer.

The pictures from our regional meeting are in the May edition of the HowNiKan and the winners of the art competition are not identified. The first place winner is Craig Anderson, who also is president of the Board of Directors of the American Indian Center. The second place winner is Donna Banard. Donna has done art at some of the DART stations here in Dallas. It's always interesting talking with our

tribal members and finding out about the diversity of talents and interests and accomplishments.

Congratulations to our young people graduating from high school and college and all of the other students who have accomplished so much this year. Hope you're all having a good time with your ball games, swimming or whatever is filling your days.

Hope to see or have seen you at the Pow Wow. Then on to the lazy, hazy days of summer.

— Marj Hobdy

South Texas

Bosho nikanes,
Ni je na, gin?
Mno mades ne, ngom?

For all of us, there is a time in each summer day when the magic of Mamo gos nan (the Father of us ALL) is most obvious. In Southeast Texas, that time just might be twilight. You know, when the sun is just going down, the night is not yet here, and the fireflies are just starting to rise. A few birds still sing, but most are on the way to sleep. Your day's work is done then, or almost so, and it's okay to relax and dream a little.

That time reminds me of summer evenings at "home," long ago. Home was Maud, in Oklahoma, where we spent much of our childhood and early

teen years. Life was simple then. Clover and bees, a ball game in the street, some cool watermelon, and family dropping by to chat.

The "power" time of course is when the sun comes up! If you can rise and be glad to get started, be glad to have work to do, a friend to help, a child to teach, a home to keep, you are living in the magic of every day. Count your blessings.

Twilight here brings the deer, too. The bucks are all running together now, antlers in velvet, growing by leaps. It continues to be hot and very dry, as I write this letter to you, and we are watering every day to keep the grass and little gardens alive. The raccoons

love that we are making mud. They come to play in that in the evening, and eat whatever little treat we put out for them.

There is an apple in the Granny Smith apple tree! It is the first, after waiting nine summers for the trees to grow old enough to bear fruit. There are green tomatoes and peppers too.

And so it goes in this part of the world.

The language study goes on. I learn a new word now and again, and practice the ones I have, when anyone is there to speak with. If you study too, we can practice together. Please give it some thought, and study with me?

I shall be traveling alot this summer,

away from this telephone, but I'll have the "laptop" with me, and the E-mail address is good anywhere the laptop goes. So just send your messages, etc., to neshnabe@juno.com; we shall keep in touch that way.

There is the Pow Wow, and the language school, and the Gathering in Michigan, to keep me moving about in Indian country. We shall see each other, here and there, along the way. Stop me if you see me; we can have a glass of tea together and visit for a while.

Give those little ones a word of praise, and watch after yourself as you move around in this heat.

Bama mine' ngotdek, nikanes,

— Lu Ellis

Colorado

Greetings from Colorado!

Today, a historical event occurred in the Colorado Capitol Building, outside Governor Roy Romer's chambers.

Danny Rael, a Mescalero Apache, and Loveland, Colorado resident, played an ancestrally honoring song on a Lakota flute. Minutes later Gov. Romer signed into law HB1186, requiring all public schools in the State of Colorado to teach the history, the culture and the contributions of Native Americans. "It's important that the unique contributions of Native Americans be recognized in statute," Romer said. "It is tremendously important that we not just teach history, but that we teach it accurately."

During committee hearings, Native American witnesses complained of educators who made Indians appear to be bloodthirsty savages and focused on only leaders like Sitting Bull and Crazy Horse.

But there was nothing but happiness expressed at the bill signing ceremonies. Supporters, including leaders of the

Southern Ute and Ute Mountain tribes in Colorado, called this a historic occasion.

State law already requires that students be educated on black and Hispanic history and culture. The bill by Rep. Suzanne Williams, D-Aurora, and Sen. Ken Chlouber, R-Leadville, adds Native Americans to the list.

The bill also changes the names in the old law from "Spanish Americans" to "Hispanic Americans" and "American Negroes" to "African Americans." Perel Casias, Southern Ute tribal council member, spoke in her native tongue. "That means 'Thank you' in my language," she said. "We thank you as the longest continuous inhabitants of this territory."

All across our United States, similar bills are being passed. It makes my heart swell with pride to know that finally the stories of Potawatomi people such as Black Partridge, Metea, Josette La Fromboise, Leopold and Simon Pokagon, Alexander Robinson, Sa-gau-

nash, Sha-bonee, To-pe-ne-bee, Woo-saw, Wa-baun-see, Match-kee, Koa-ssun, Che-shaw-gan and Big Wolf will now be told. Let's not forget those who traveled the Trail of Death to Kansas, and those blessed, hearty 41 families who traveled even farther to Oklahoma Territory.

I say "Thank You" to all educators

Southwest

Belated Greetings From Phoenix!

I've gone out looking for myself. If I should return before I get back, PLEASE keep me here! Some months you really need six weeks and every week two Wednesdays. I know this doesn't make much sense. However I promise to try and do better in the future to keep in touch.

I really don't know where all the time has gone. This has been a year I would

who teach our history. We all know that June is Council and Pow Wow time in Shawnee; I can't stress how much my family and I enjoy this time of year. If you haven't ever been to Council and Pow Wow, GO — you won't be sorry.

Until next time,

— Penny Bishop

"In life, true joy is in the journey."

have just as soon had never happened. All I can do now is move forward.

Not much has been happening and so I have nothing of importance to report. I am looking forward to Pow Wow and seeing all my friends again.

And remember: "Every good has a better and every bad has a worse.

Megwech,

— Philonise Williams



CPN v. COLLIER: U.S. COURT OF APPEALS DECISION

UNITED STATES COURT OF APPEALS TENTH CIRCUIT

Appeal from the United States District Court
for the Western District of Oklahoma
(D.C. No. CIV-92-2161-R)

F. Browning Pipestem (Dena L. Silliman, with him on the briefs), of F. Browning Pipestem & Associates, Norman, Oklahoma, for Defendant-Appellant.

Michael Minnis (David McCullough, with him on the brief), of Michael Minnis & Associates, P.C., Oklahoma City, Oklahoma, for Plaintiff-Appellee.

Before **SEYMOUR**, Chief Judge, **LOGAN**, Senior Circuit Judge, and **MURPHY**, Circuit Judge.

SEYMOUR, Chief Judge.

The Citizen Band Potawatomi Indian Tribe of Oklahoma (Potawatomi Tribe) brought this action against L.W. Collier, an area director for the Bureau of Indian Affairs (BIA), seeking a declaration that the BIA is required to obtain the Tribe's consent before placing into trust land within the boundaries of the former Potawatomi reservation. The lawsuit was precipitated when the Absentee Shawnee Tribe of Oklahoma (Absentee Shawnee Tribe) applied to the BIA to place such land in trust and the BIA informed the Potawatomi Tribe that its consent was not required under the relevant statute and regulations. In a thorough and well-reasoned opinion, the district court granted the Potawatomi Tribe's motion for summary judgment, holding that a prior ruling on the matter by the Interior Board of Indian Appeals (IBIA) for the Absentee Shawnee Tribe was contrary to law. The Absentee Shawnee Tribe, an intervenor below, appeals and we affirm.

The governing statute provides in relevant part:

The Secretary of the Interior is hereby authorized, in his discretion, to acquire, through purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing reservations, including trust or otherwise restricted allotments, whether the allottee be living or deceased, for the purpose of providing land for Indians.

25 U.S.C. § 465. The regulations governing the acquisition of trust land under the above statute provide as follows:

Unless another definition is required by the act of Congress authorizing a particular trust acquisition, *Indian reservation* means that area of land over which the tribe is recognized by the United States as having governmental jurisdiction, except that, in the State of Oklahoma . . . , *Indian reservation* means that area of land constituting the former reservation of the tribe as defined by the Secretary.

25 C.F.R. § 151.2(f) (1997). The regulations further provide:

An individual Indian or tribe may acquire land in trust status on a reservation other than its own only when the governing body of the tribe having jurisdiction over such reservation consents in writing to the acquisition; provided, that such consent shall not be required if the individual Indian or the tribe already owns an undivided trust or restricted interest in the parcel of land to be acquired.

Id. § 151.8.

In the district court, the BIA asserted that the Potawatomi Tribe's consent was not required under section 151.8 because it shared the former reservation with the Absentee Shawnee Tribe. On appeal, the Absentee Shawnee Tribe likewise contends that section 151.8 does not apply because it has historically shared the reservation with the Potawatomi Tribe, and that the reservation should therefore be considered that of the Absentee Shawnee as well as that of the Potawatomi. This appeal therefore requires an assessment of the status of the land that comprises the former reservation vis-

a-vis the two tribes, as revealed by the relevant treaty, statutes, and prior proceedings. We begin our review with a description of the legal history of the land at issue.

The land initially gained reservation status in 1867 pursuant to a treaty between the United States and the Potawatomi Tribe. The treaty recites that its purpose was to secure a home for the Tribe, which was being removed from the state of Kansas to what was to become the state of Oklahoma. See Treaty with the Potawatomi, Feb. 27, 1867, 15 Stat. 531. The Tribe and a government commission were to visit the area to select a suitable location, "and if such location shall be found satisfactory to the Pottawatomies, and approved by the Secretary of the Interior, such tract of land, not exceeding thirty miles square, shall be set apart as a reservation for the exclusive use and occupancy of that tribe." *Id.* art. 1. It nonetheless appears undisputed that individual Absentee Shawnees, who had separated from the Shawnee Nation, had already settled on a portion of the tract selected as the Potawatomi reservation. The Absentee Shawnees petitioned the President to grant them title to the land on which they had settled. Although the Potawatomi Tribe agreed not to disturb the Absentee Shawnees, it in turn requested that the Potawatomi reservation be extended westward to include an area equivalent to that occupied by the Absentee Shawnees.

Apparently in response to this situation, an Act was passed in 1872 authorizing the allotment of land within the Potawatomi reservation to each member of the Potawatomi Tribe, and to those Absentee Shawnee Indians who had been residing therein. See Act of May 23, 1872, ch. 206, 17 Stat. 159. The Act provided that "allotments of land lying within the thirty-mile square tract heretofore selected for the Pottawatomie Indians, . . . shall be made to each member of the Pottawatomie band, known as the Pottawatomie citizen band," and further stated that "they may enforce the laws and usages heretofore enforced among them as an Indian tribe, . . . and shall be entitled to equitable representation in the general territorial council, and subject to general laws which it may legally enact." *Id.* § 1, at 159-60. The Act also provided for allotments to "any Indian of pure or mixed blood of the Absentee Shawnees," who was either a head of a family or over twenty-one years of age, had resided continuously within the reservation for three years, and had made substantial improvements to the land. *Id.* § 2, at 160. No Absentee Shawnee Indians and only a handful of Potawatomi Tribe members received allotments under the 1872 Act, although both Absentee Shawnees and Potawatomi Tribe members continued to reside on the reservation. The Potawatomi Tribe has continuously maintained that the land was reserved to the Tribe under the 1867 Treaty and that the Absentee Shawnees were there only with the Tribe's permission.

In 1887, Congress passed the General Allotment Act, 25 U.S.C. § 331. The Secretary of the Interior determined that the Act applied to the reservation and authorized allotments of land within the reservation to both Potawatomi Tribe members and Absentee Shawnees. Allotments were thereafter made to members of both groups.

The government entered into an agreement with the Potawatomi Tribe on June 25, 1890, and with the Absentee Shawnees the next day, under which the reservation was ceded to the government. In 1891, an Act was passed setting out those agreements. See Act of Mar. 3, 1891, ch. 543, 26 Stat. 989, 1016-22. The Act provided that the Potawatomi Tribe "hereby cede, relinquish, and forever and absolutely surrender to the United States all their claim, title and interest of every kind and character in and to" the Potawatomi reservation. *Id.* § 8, Art.

I, at 1016. As consideration for the relinquishment, the Act further provided that the "United States will pay to said Citizen Band of Pottawatomie Indians" \$160,000. *Id.* § 8, Art. IV, at 1018. With respect to the Absentee Shawnee Indians, the Act embodied the agreement entered into between "Commissioners on the part of the United States and the Absentee Shawnees residing on what is commonly known as the Pottawatomie Reservation." *Id.* § 9, at 1019. The Act provided that the Absentee Shawnees likewise relinquished their claim to any interest in the reservation, *id.* § 9, Art. I, at 1019, and agreed to provide as consideration the payment of \$65,000 to be distributed per capita to allottee Absentee Shawnees on the reservation for their homes and other improvements on their allotments, *id.* § 9, Art. IV, at 1020-21. Finally, the Act conferred jurisdiction upon the Court of Claims to hear and determine all claims the Potawatomi Tribe might have against the United States arising from the preceding events. *Id.* § 12, at 1021. There was no similar provision for the Absentee Shawnees.

Years later, the Potawatomi Tribe filed a claim against the United States with the Indian Claims Commission (ICC) to recover additional compensation for the surplus lands in the former reservation, that is, those lands left in the reservation after allotments had been made to the individual members of the Potawatomi Tribe. The government contended that the Tribe was not entitled to compensation for that portion of the reservation occupied by the Absentee Shawnees because the Tribe had consented and agreed that the Absentee Shawnees could remain on the land. The ICC rejected this contention as unsupported.

We do not find any evidence in the record of any consent or waiver on the part of the Citizen Band to a tract of land containing less than 900 square miles. That the Citizen Band did not waive its claim of ownership of the lands occupied by the Shawnee is evidenced by the Band's willingness to have their west boundary extended sufficiently to add an equivalent area of land to that occupied by the Shawnees within the 900 square mile tract that had been approved for the Citizen Band by the Government, if the Government desired to let the Shawnee remain permanently on the Oklahoma Reservation tract. (Finding 9).

It is undisputed that the Absentee Shawnee's possession of such Oklahoma lands were not "locations made for them" by the Government. They were, as defendant [the government] states, "in the nature of squatters" (Def. Br. p. 9) whose possession was neither from time immemorial nor was their possession of lands within the Oklahoma Reservation obtained under any color of title or recognition of ownership by the Congress or the exclusive [executive] branch of the Government or by the Citizen Band. (Finding 8)

The agreement of June 26, 1890, (26 Stat. 1019) wherein the Absentee Shawnees ceded the entire Oklahoma Reservation for a consideration of \$65,000 and confirmation of their allotments cannot be construed as a ratification of a "reservation title" or of a use and occupancy title from time immemorial. Their possessory right was in the nature of a tenancy at will; they were in "peaceable possession" after the arrival of the Citizen Band only because the Citizen Band expressed a willingness not to disturb them provided the Government extended the Citizen Band's reservation to include an equivalent area westward. (Finding 8)

The Citizen Band of Potawatomi Indians of Okla. v. United States, 6 I.C.C. 646, 663-65 (Sept. 18, 1958).

II

In 1992, the Potawatomi Tribe received information leading it to believe that the Absentee Shawnee Tribe had applied to the BIA to take into trust lands lying within the former

Potawatomi reservation. Accordingly, the Potawatomi Tribe asked the BIA if any such applications were pending. In a letter to the Tribe dated September 17, 1992, Mr. Collier, for the BIA, refused to confirm or deny the existence of Absentee Shawnee applications. Nonetheless, and notwithstanding the ICC opinion quoted above, Mr. Collier set out the BIA's view that the two Tribes shared a common former reservation area and that the consent of the Potawatomi Tribe was therefore not a necessary predicate to placing that land into trust status under the statute and regulations set out in Part I supra. In support of the BIA's position Mr. Collier relied on the 1872 Allotment Act which, as discussed above, authorized the allotment both to members of the Potawatomi Tribe and to Absentee Shawnees of "land lying within the thirty-mile square tract heretofore selected for the Pottawatomie Indians." 17 Stat. at 159.

The Potawatomi Tribe filed suit in federal district court, seeking to prevent the BIA from placing into trust lands lying within the former Potawatomi reservation. The government filed a motion to dismiss for failure to join the Absentee Shawnee Tribe as an indispensable party and for failure to exhaust administrative remedies. The district court ruled that the Absentee Shawnee Tribe was an indispensable party and dismissed the action on that ground. The Potawatomi Tribe appealed and this court reversed. See *Citizen Band Potawatomi Indian Tribe of Okla. v. Collier*, 17 F.3d 1292 (10th Cir. 1994). We held that, standing alone, Mr. Collier's September 17 letter stating the BIA's position on the matter was insufficient to satisfy the BIA's burden of demonstrating the Absentee Shawnee Tribe's interest in the former reservation. *Id.* at 1293-94. We also rejected as "irrelevant" the 1872 Act upon which the BIA relied, pointing out the Act does not create any "undivided trust or restricted interest" of the Absentee-Shawnee tribe in the Potawatomi tribe's land for purposes of 25 C.F.R. § 151.8. It merely grants the Secretary of the Interior the power to allot land to individual Absentee-Shawnee tribesmen. The Act does not mention any power to allot lands to the Absentee-Shawnee collectively as a tribe.

Id. at 1294.

On remand, the government renewed its motion to dismiss for failure to exhaust administrative remedies, and the district court directed the Potawatomi Tribe to pursue administrative relief, if available. Upon instructions from the BIA, the Tribe appealed Mr. Collier's position letter to the IBIA, which issued an opinion affirming Mr. Collier's decision. See *Citizen Band Potawatomi Indian Tribe of Okla. v. Anadarko Area Director, Bureau of Indian Affairs*, 28 IBIA 169 (Sept. 12, 1995). The IBIA held that it was bound by the ICC's decision that the Potawatomi Tribe owned the entire reservation as of June 25, 1890. The IBIA concluded, however, that because the ICC opinion determined the ownership of the reservation lands only as of that date, the ICC opinion was not determinative of rights in the land arising thereafter. The IBIA supported its conclusion by referring to *Shoshone Tribe of Indians of the Wind River Reservation in Wyo. v. United States*, 299 U.S. 476 (1937), which the IBIA described as bearing a resemblance to the history of the Potawatomi reservation. The IBIA also concluded that this court's ruling in the first appeal did not preclude consideration of the merits because we had considered only whether the Absentee Shawnee Tribe was an indispensable party. The IBIA then determined that the language and the legislative history of the 1891 Act, when considered together with *Shoshone Tribe*, "support a conclusion that Congress intended to recognize

Continued, Next Page



CPN v. COLLIER: U.S. COURT OF APPEALS DECISION

Continued from previous page

some rights of the Absentee Shawnees in the Potawatomi Reservation." 28 IBIA at 183.

The Potawatomi Tribe filed an amended complaint in district court alleging that the IBIA decision was entitled to no deference because it was contrary to law, and was arbitrary, capricious, and an abuse of discretion in any event. The Tribe accordingly renewed its motion for summary judgment on those grounds. The BIA filed a cross-motion for summary judgment, and the Absentee Shawnee Tribe was allowed to intervene.

The district court granted summary judgment for the Potawatomi Tribe. The court agreed with the IBIA that the ICC decision determined ownership rights only as of June 25, 1890 and held that defendant Mr. Collier was thus precluded from asserting that the Absentee Shawnee Tribe had an interest in the reservation prior to that time. Rejecting the government's argument that the ICC did not have jurisdiction to decide the matter, the court pointed out that the issue of ownership as of June 25, 1890, had already been litigated in the ICC proceeding where the government argued that the Absentee Shawnees had an ownership interest in the reservation to avoid paying compensation to the Potawatomi Tribe for at least that portion of the reservation occupied by the Absentee Shawnees. The resolution of the issue was therefore necessary to the judgment rendered by the ICC. The court further ruled that, because the United States was a fiduciary or trustee for the Absentee Shawnee Tribe, the Tribe was in privity with and represented by the government in the ICC proceedings, and is likewise bound by that decision and precluded from relitigating its ownership interest in the reservation prior to June 25, 1890.

In addressing the merits, the district court reviewed the events leading up to the June 25 agreement and the 1891 Act, and found nothing to indicate that a reservation had been created or recognized for the Absentee Shawnees. The court held:

[I]t is anomalous to suggest that by the 1891 Act, Congress at once created or recognized a reservation in favor of the [Absentee Shawnee] Tribe while agreeing to confirm allotments made to individual members of the Tribe and accept relinquishment or whatever claim, title or interest the Tribe had in the remainder of the land, which must have necessarily comprised the reservation then being created or recognized.

App., vol. III, at 867. Pointing to its holding that in view of the ICC opinion the Absentee Shawnee Tribe had no interest in the reservation before June 25, 1890, and to the lack of any evidence that Congress or the executive branch created a reservation for the Tribe after that date and before the 1891 Act, the court viewed the Absentee Shawnees' agreement to relinquish any interest in the reservation as a quit claim deed. The court found additional support for its conclusion in the legislative history of the 1891 Act, which stated that the Absentee Shawnees were on the land selected for the Potawatomi Tribe under the 1867 Treaty "not . . . by any treaty or Executive order, but the Government has long known of their presence there." *Id.* at 869 (quoting H.R. Rep. No. 51-3481, at 2-3 (1891)). Finally, the court pointed to the definition of a "reservation" set out in the Indian Reorganization Act, 25 U.S.C. § 461, which the court viewed as implicitly defining a reservation as land "created or set apart by treaty or agreement with the Indians, Act of Congress, Executive order, purchase or otherwise." App., vol. III, at 872 (quoting 25 U.S.C. § 461). Because the record contained no evidence that land within the Potawatomi reservation had been set apart for the Absentee

Shawnee Tribe within the language of section 461, the court ruled that "[a]t best the 1891 Act confirms an agreement with the [Absentee Shawnee] Tribe to make allotments to individual [Absentee Shawnee] members." *Id.* at 873. Accordingly, the court held that the IBIA opinion was contrary to clear legislative intent.

On appeal, the Absentee Shawnee Tribe contends the district court failed to afford the IBIA decision proper deference, arguing that the agency's decision was well-reasoned and factually supported. The Tribe also asserts the earlier ICC decision is not binding on it because it was not a party or in privity with a party to that proceeding, and because the ICC lacked jurisdiction to decide the matter of tribal rights in the former reservation. Finally, the Tribe contends that if anyone is barred by the ICC proceeding, it is the Potawatomi Tribe.

The Absentee Shawnee Tribe does not challenge on appeal the IBIA determination that it is bound by the ICC's holding that the Potawatomi Tribe had exclusive ownership of the reservation as of June 25, 1890. Indeed, the Absentee Shawnee Tribe has maintained throughout this appeal that the issue is whether the Tribe had recognized rights in the Potawatomi reservation arising after June 25, 1890. Because the ICC opinion by its terms addresses only the status of the reservation as of that date, it could have no binding effect as to ownership of the land thereafter in any event, which is the issue the Tribe contends is dispositive here. Accordingly, we need not address whether the ICC had jurisdiction to determine the ownership of the reservation, or whether its opinion is binding on the government and/or the Tribe. We therefore turn to the Tribe's argument that the district court erred in ruling that the IBIA decision is contrary to law and in holding, contrary to the IBIA, that the Tribe did not obtain rights in the Potawatomi reservation between June 25, 1890, and the passage of the 1891 Act.

III

We begin by considering the Absentee Shawnee Tribe's assertion that the district court erred in failing to accord the IBIA decision proper deference. Courts must, of course, defer to an agency's delegated authority to interpret by regulation the statute that it administers. *See Chevron, U.S.A., Inc. v. Natural Resources Defense Council*, 467 U.S. 837, 843-44 (1984). Nonetheless, "[t]he judiciary is the final authority on issues of statutory construction and must reject administrative constructions which are contrary to clear congressional intent." *Id.* at 843 n.9. "If a court, employing traditional tools of statutory construction, ascertains that Congress had an intention on the precise question at issue, that intention is the law and must be given effect." *Id.*

Although we are to give deference to an agency's construction of the statute it is entrusted to administer, here we are not concerned solely with construing the Secretary's discretion to place reservation land in trust under 25 U.S.C. § 465. The question before us on appeal is whether we must defer to the IBIA's decision that the Absentee Shawnee Tribe had a cognizable interest in the Potawatomi reservation after June 25, 1890. This assessment, in turn, requires that we decide whether the IBIA's determination is contrary to Congressional intent. Accordingly, we must ascertain the intent of Congress in passing the 1891 Act, which embodies the agreements under which the reservation was ceded to the government. Because determining the status of the land at issue thus requires construing the 1891 Act, a statute that is not one Congress gave the agency discretion to administer, there is considerable force to the Potawatomi Tribe's argument that *Chevron* deference is not appropriate. *Cf. Adams Fruit*

Co. v. Barrett, 494 U.S. 638, 649-50 (1990). We need not decide the issue, however, because upon applying the traditional principles of statutory construction regarding treaty abrogation, we conclude that the IBIA's interpretation is clearly contrary to Congressional intent and thus not entitled to *Chevron* deference in any event.

The Treaty creating the Potawatomi reservation set the land apart "for the exclusive use and occupancy" of the Potawatomi Tribe. *See Treaty with the Potawatomi*, *supra*, art. I. The IBIA concluded that the Potawatomi Tribe's treaty right to the exclusive use of the land was abrogated by the agreement between the Absentee Shawnees and the federal government embodied in the 1891 Act. The district court disagreed, holding that neither the language of the Act nor the circumstances surrounding its passage indicated a Congressional intent to abrogate the Potawatomi Tribe's pre-existing ownership rights.

"Congress has the power to abrogate Indians' treaty rights, though we usually insist that Congress clearly express its intent to do so." *South Dakota v. Bourland*, 508 U.S. 679, 687 (1993) (citations omitted). "Congressional intent to abrogate treaty rights will not be lightly inferred; such purpose must be 'clear and plain.'" *Oyler v. Allenbrand*, 23 F.3d 292, 296 (10th Cir. 1994) (quoting *United States v. Dion*, 476 U.S. 734, 738 (1986)). Accordingly, we must first examine the language of the Act itself to determine whether it contains a sufficiently clear expression of an intent to abrogate the Potawatomi Tribe's exclusive rights in the land by granting rights to the Absentee Shawnees.

In the Act, both the Potawatomi Tribe and the Absentee Shawnees, in virtually identical language, ceded their interest in the land comprising the Potawatomi reservation. *See* 26 Stat. at 1016-17, 1019. The Act also provided that the United States would pay sums of money to both tribes for the relinquishment of their interests. *See id.* at 1018, 1020. These provisions are not an unambiguous expression of an intent to abrogate the Potawatomi Tribe's pre-existing treaty rights to the land. The language is at least as consistent with Congressional intent to receive a quit claim deed from the Absentee Shawnees as with an intent to recognize or create a legitimate claim of ownership rights. Indeed, we agree with the district court that it is most logical to view the above provisions as conveying a quit claim deed rather than as simultaneously granting and taking back an ownership interest.

Our view is reinforced by the difference in treatment accorded the Potawatomi Tribe and the Absentee Shawnees elsewhere in the Act. The Act addressed the 1867 Treaty, and provided that if the Potawatomi Tribe had paid the government for the reservation land in accordance with the Treaty provisions and the government had retained the funds, the government would pay that sum to the Tribe. *See* 26 Stat. at 1021. The Act also conferred jurisdiction on the Court of Claims to hear and determine the question of payment for the reservation, as well as all questions between the Potawatomi Tribe and the government relative to the Tribe's accounts under various treaties. *See id.* These provisions, which are addressed to the Potawatomi Tribe and not to the Absentee Shawnees, clearly recognize the Potawatomi Tribe's exclusive reservation rights and are inconsistent with the creation of any such rights in the Absentee Shawnees.

Our view is confirmed by the legislative history of the Act, which states that "[t]he said Citizen Band of Pottawatomie Indians are now, and for more than twenty years have been, occupying a reservation in the Indian Territory . . . about 30 miles square, and containing an area of 575,870.42 acres. This tract was selected by said Indians under the provisions

of the treaty of 1867 . . ." H.R. Rep. No. 51-3481, at 1 (1891). Significantly, the Report describes the Absentee Shawnees as follows:

As to the Absentee Shawnees, it seems that some time about 1840 they left the main band then located upon the Shawnee Reservation in Kansas, and after roaming and hunting for some time settled down upon some of the country embraced within the limits of [the Potawatomi] reservation, where they have remained ever since. *They were not there by any treaty or Executive order*, but the Government has long known of their presence there.

Id. at 2-3 (emphasis added). This description unambiguously reveals that Congress did not view the Absentee Shawnees as having rights in the Potawatomi reservation, and it is hardly clear evidence of Congressional intent to create such rights by passage of the Act.

Nonetheless, the IBIA construed the 1891 Act and its legislative history as evincing an intent to create reservation rights in the Absentee Shawnee, relying on the opinion in *Shoshone Tribe of Indians*, 299 U.S. 476, which the IBIA viewed as addressing analogous factual circumstances. However, the historical facts upon which that decision was based are distinguishable in critical respects from those before us and the case is therefore inapposite. In *Shoshone Tribe*, the Tribe sued the United States for breach of a treaty granting the Tribe absolute and undisturbed use of reservation land. The Tribe alleged that this right had been breached when the federal government brought a band of Northern Arapahoes onto the reservation under military escort, established schools for their children, irrigated their ranches, and indicated "their equality of right and privilege" "[i]n numberless other ways." *Id.* at 488. The Court held that the Commissioner of Indian Affairs and Congress had acted "on the assumption that the occupancy of the Arapahoes, initiated, as we have seen, under military escort, was permanent and rightful." *Id.* at 489. Accordingly, the Court concluded that the Arapahoes obtained equal rights in the reservation as of the time they were placed there under military escort. *Id.* at 495-96.

The affirmative acts by the government that the Court found compelling in *Shoshone Tribe* are the very factors missing in the instant case. At most, the circumstances surrounding the 1891 Act reveal that Congress was aware of the Absentee Shawnees' presence on land that had been set aside by treaty for the exclusive use of the Potawatomi Tribe. Absent any affirmative actions indicating an intent to legitimize that presence, however, mere knowledge is simply not sufficient to abrogate the treaty rights granted the Potawatomi Tribe. Moreover, the Court in *Shoshone Tribe* concluded that the government's conduct from the outset of the Arapahoes' occupancy indicated a Congressional intent to recognize their claim of rights in the reservation as of that time. *See id.* at 495. Here, to the contrary, the ICC ruled that the government's conduct up until July 25, 1890, did not establish such a claim of right on behalf of the Absentee Shawnees. We find no support for the IBIA decision in *Shoshone Tribe*.

In sum, we conclude that the language, legislative history, and historical circumstances of the 1891 Act do not evince a sufficiently clear Congressional intent to abrogate the Potawatomi Tribe's treaty right to the exclusive use and occupancy of its former reservation. The Secretary is therefore required under its own regulations to obtain the consent of the Potawatomi Tribe before acquiring such land in trust for the Absentee Shawnee Tribe.

The judgment of the district court is **AFFIRMED**.

Tribe's accomplishments chronicled in Oklahoma's largest newspaper

(Editor's note: *Daily Oklahoman* Staff Writer Mark Hutchison and Photojournalist Jim Argo, a member of the Oklahoma Journalism Hall of Fame, visited the Citizen Potawatomi Nation headquarters on May 6, 1998. The following story, the product of their reporting and photography work, appeared on the front page of the *Sunday Oklahoman* on May 24, 1998. The Citizen Potawatomi Nation and the *HowNiKan* thank the *Oklahoman* for its permission to reprint the article.)

Rags-to-Riches Tribe Thrives on Diversity

By Mark A. Hutchison
Staff Writer

(Shawnee) — Inside a ramshackle trailer, five Citizen Band Potawatomi Nation business committee members argue whether they can afford a telephone.

They also wonder if the U.S. Bureau of Indian Affairs will approve such a bold move.

It's 1971, the tribe has \$550 in the bank, and Vice Chairman John "Rocky" Barrett is being indoctrinated into tribal politics. As the 26-year-old Barrett gazes out the window at a 400-tree pecan orchard located in the middle of a flood plain, he wonders what kind of mess he's gotten himself into.

Some 27 years later, Barrett stands on a sidewalk staring at the same trees. They yield 40,000 pounds of pecans a year, but now are surrounded by the tribe's lush, green golf course, FireLake. A fountain in the background launches water into the air, creating a mist that settles over a group of geese meandering along a fairway. The crack of golf balls being struck by area high school players is heard in the distance.

Barrett grins and says, "It's something, isn't it?"

Like a proud father watching his son take his first steps, Barrett has watched as his near-broke, disorganized tribe quietly became a diversified, sovereign enterprise generating more than \$15 million in annual business revenue.

Besides the golf course, the tribe owns a bank, bowling alley, restaurant, entertainment center, museum, smoke shop, and gaming center. They're tripling the size of their health clinic and have started a free Internet service for



Oklahoman Photographer Jim Argo Snaps The Color Picture Of Chairman John A. Barrett That Appeared On The Front Page Of The State's Largest Newspaper

area teachers.

To educate their youth, they have given a \$1 million endowment to St. Gregory's University. And, while other tribes have been stifled by internal strife, only three Citizen Potawatomi Nation business committee members have been impeached in the last 30 years. Differences often are remedied in the tribe's district and supreme courts.

Now, the tribe is using technology to link its members nationwide via teleconferencing. This could lead to an amended tribal constitution, allowing out-of-state tribal members for the first time to be elected to office.

"We've always had lots of plans but never much capital," said Barrett, who has been a member of the business committee for all but six years since 1971 and tribal chairman since 1985. "That's changed but it hasn't been easy."

The name Potawatomi is derived from an ancient tribal word meaning "people of the place of the fire." Centuries ago, the tribe had some 10,000 members and controlled 30 million acres in the Great Lakes area. U.S. encroachment in the 1800s shuffled tribal members into Missouri, Iowa, and finally Kansas.

The tribe was split into two factions, the Mission Band and Prairie Band, because of religious

differences. When a new treaty was signed with the U.S. government in 1861, the Mission Band of Potawatomis chose to sell their Kansas property to the Santa Fe Railroad and move to present day Oklahoma. The Prairie Band stayed in Kansas.

The Mission Band used the money from their property sale to buy some 575,000 acres for individual members in what is now Pottawatomie County. They adopted U.S. citizenship in 1867 to enforce their land purchase rights, hence the name Citizen Potawatomi Nation.

In 1995, tribal members voted to delete the term "band" from the name. "It's something the government gave us and we didn't want," Barrett said.

About 7,000 of the tribe's 24,000 members live in Oklahoma. It is the 10th largest federally recognized tribe in the country.

Many members were lured to the California gold rush and to the Northwest, where they became legendary fur traders. Today, they're scattered in several states.

To accommodate them, there are nine regional offices in Texas, California, Colorado, Arizona, Missouri and Oregon.

Tribal property has been whittled to about 640 acres. Another 6,360 acres belong to indi-

vidual tribal members.

Before the success came a number of ill-fated money-making tribal ventures. There was 1970s artificial stone business. Tribal workers mixed materials in a barn, poured it into molds, and created the stones.

Then there was the bicycle plant that made nine bicycles, eight of which the tribe still has, and a computer service business with a consultant who didn't know much about computers, said Hilton Melot, a tribal business committee member.

The golf course set the tone for the tribe's recovery. It was coincidence more than careful planning that brought it to fruition.

Barrett said the tribe needed money in 1980 but couldn't develop its land because it was in a floodplain. When the business committee realized there wasn't a public golf course in the county, it borrowed the money to build one.

Completed in 1982, the manicured greens, scenic water holes and tight fairways have earned it respect from players around the state. Golf pro Mike Wood said about 50,000 rounds a year are played on the 18-hole course. But until a few years ago, people still called and asked, "Can you play there if you're not an Indian?" Wood said.

With its golf course thriving, the tribe in 1988 made another financial move and bought controlling interest in First National Bank of Shawnee. Barrett said it took months to get government approval because the tribe didn't fit the bank owner profile.

In 1992, the tribe became sole owners of the bank. Three years ago, a 33,000-square foot brick, two-story building was built to house it. Since 1988, bank assets have grown from \$15 million to more than \$50 million.

"We were the first Indian tribe in the country where the comptroller of the currency allowed the tribal government to be the controller and the board of directors of the bank," Barrett said.

Tribal bingo has been played for a decade, averaging 275 players a session. Last year, an off-track betting parlor was added. Thoroughbred, quarter horse, and harness races are beamed in daily by satellite from tracks outside Oklahoma. Also, inside the entertainment center is a 24-lane bowling alley. Opened in June 1995, the floors gleam like new, the result of using a composite plastic instead of wood.

Waitresses take orders from bowlers and businessmen who come just to dine on the snack bar's T-bone steak and marinated chicken.

The bowling alley isn't the only place to get a good meal. Charlie's at FireLake is the restaurant atop the golf course clubhouse.

Charlie Coulon, a local chef best known during his stint at the Aldridge Hotel, leases the restaurant. An enclosed deck overlooking the golf course provides a relaxing view while customers dine on specialties such as Atlantic salmon with cream dill sauce and Maryland crab cakes.

To accommodate its growth and 332 full-time and part-time employees, the tribe has relocated its headquarters a quarter-mile north to a 32,000-square-foot brown stucco building that was a children's mental health hospital.

The move has allowed the day-care program to be expanded from 50 to 157 kids. They can roam the playground the size of a football field, which encompasses gazebos, sandboxes, a swimming pool, and volleyball court.

While proud of their preschool program, tribal leaders have

Continued on next page

Oklahoman story (continued)

Continued from previous page
named education as their most important goal. Barrett, Vice Chairman Linda Capps, Secretary-Treasurer Gene Bruno and committee members Melot and J.P. Motley have helped establish college scholarships for about 100 tribal members a year.

Technology also is a priority. It's allowing the tribe to reach more members through its Internet service, which is offered free to area schoolteachers and for \$10 a month to tribal members.

Barrett said plans are to transmit tribal council meetings by satellite to the regional offices.

"I'm hoping we can change our constitution at some point so we can allow those members out of state to hold elective office," Barrett said. "I think that time has come."

The tribe elects its five business committee members locally to four-year terms. Barrett has been chairman since 1985, while Melot has been on the business committee 13 years. Bruno and Capps have been on the committee about 10 years each.

Barrett attributes the political harmony and longevity of busi-

ness committee members to one thing: "We don't get paid."

By comparison, some Oklahoma tribes pay their business committee members more than \$30,000 a year. Barrett also said business committee members are college educated and have other jobs.

"We're the only tribe that doesn't pay its elected officials and I think that's good," Barrett said. "When you salary elected positions, you get a full-time politician, someone who's out of work or can't get a job."

About two years ago, the tribe wrested away about \$5 million of its trust money from the U.S. Bureau of Indian Affairs. The money was the tribe's portion of a land settlement.

Investments are drawing about 25 percent, compared to the 4.3 percent the government was getting, Bruno said.

Barrett thinks the tribe can offer incentives to potential industry like no other entity in Oklahoma: interest-deductible loans, tax advantages, and an available work force. But, an endorsement from state officials hasn't been forthcoming.

Some prospects may be wary



Reporter Mark Hutchinson Interviews Paul McIntire At Tribe's First National Bank

because of political and financial troubles of other tribes, Barrett said. Also, there's a misconception that Indians have an unfair business advantage because of tax status.

"Tribes are all going to have to reform and behave as govern-

ments," Barrett said. "Then there will be a lot less criticism."

While industry recruitment has been unsuccessful, tribal officials realize what recreation has done. Bingo and off-track betting generated 65 percent of the tribe's revenue last year. They envision

a second golf course.

"We're thinking about a theme park setting, really turning this place into a resort-type destination," Barrett said. "Recreation is the way to go. It's varied enough where Congress can't keep you from operating a water slide."

25th Annual Citizen Potawatomi Nation Pow Wow Results

JUNE 27 & 28, 1998

Men's Fancy—16							
1. Kevin Connywerdy	#205	Comanche	Norman, OK	4. Dycie Bravescout	#539	Otoe/Comanche	Pawnee, OK
2. Poncho Brady	#208	Hidatsa/Arikara	Newton, ND	5. Alta F. Reyes	#534	Cheyenne/Arapaho	Thomas, OK
3. R.G. Harris	#210	Sac & Fox	Stroud, OK	6. Ethel Murray Staley	#542	Otoe	Perkins, OK
Men's Grass—9				Junior Boys Grass—8			
1. Ivan C. Little Yellow Man	#259	Northern Arapaho	Watonga, OK	1. Doug Stumblingbear	#601	Kiowa	Anadarko, OK
2. Howard Todome, Jr.	#257	Comanche/Kiowa	Tulsa, OK	2. Oliver Plumley	#603	Comanche	Red Rock, OK
3. Brandon Daniel	#255	Saponi	Livingston, TX	3. Notah Wahpepah	#608	Kickapoo	Jones, OK
Men's Traditional—14				Junior Boys Traditional—6			
1. Cricket Shields	#104	Pawnee/Otoe/Sioux	Norman, OK	1. Sequoyah Monroe	#555	Cherokee/Hopi/Navajo	Grove, OK
2. Gary Tomahsah	#108	Comanche/Choctaw	Apache, OK	2. Michael Chotkey	#556	Seminole	Tecumseh, OK
3. Gabe Cleveland	#111	Ho-Chunk	St. Paul, MN	3. Leonard Longhorn	#553	Shawnee/Choctaw	Tecumseh, OK
Men's Straight—15				Junior Boys Fancy—11			
1. Victor Tahehawaickah	#159	Comanche/Kiowa	Oklahoma City, OK	1. D.J. Two Bears	#634	Sioux	Cannon Ball, ND
2. Terry Tsotigh	#163	Kiowa	Anadarko, OK	2. Isaiah Bob	#626	Navajo	Gallup, NM
3. Gary Unah	#158	Kiowa/Creek	Alex, OK	3. Graham Primeux, Jr.	#628	Otoe	Shawnee, OK
Women's Jingle Dress—11				Junior Boys Straight—9			
1. Jennifer Young Bear	#407	Arikara/Hidatsa	Newton, ND	1. Nashoba Simmons	#584	Choctaw/Kickapoo	Little Axe, OK
2. Felicia Williams	#406	Alabama Coushatta	Oklahoma City, OK	2. Leonard Kushiway	#580	Otoe/Ponca	Del City, OK
3. Bobbie Tahehawaickah	#405	Comanche	Cyril, OK	3. Skush Gwin	#577	Sac & Fox/Pawnee	Pawnee, OK
Women's Buckskin Dress—14				Junior Girls Northern Shawl—12			
1. Tonya Bailey	#357	Arapaho	Oklahoma City, OK	1. Delinda Pushetoneque	#658	Meskwaki	Tama, IA
2. Rebecca Hamilton	#360	Sac & Fox/Kiowa/Apache	Pawnee, OK	2. Rashay Castillo	#653	Navajo/Choctaw	Oklahoma City, OK
3. Pearl Roy	#356	Ponca/Arikara	Oklahoma City, OK	3. Latosha Gaines	#660	Ponca/Iowa/Otoe	Cushing, OK
Women's Cloth Dress—31				Junior Girls Buckskin Dress—8			
1. Sandy Tate Nevaquaya	#464	Ponca/Sac & Fox	Hatchetville	1. Alisabeth Alarcomey	#704	Pawnee	Tulsa, OK
2. Yvonne Tomahsah	#466	Comanche	Apache, OK	2. Shalimar Plumley	#706	Kaw	Oklahoma City, OK
3. Lori Murray	#479	Ponca/Iowa/Otoe	Cushing, OK	3. Ponka-We Victors	#701	Ponca	Wichita, KS
Women's Northern Shawl—9				Junior Girls Jingle Dress—12			
1. Lana King	#305	Dakota	St. Paul, MN	1. Karen Walker	#677	Sac & Fox	Meeker, OK
2. Eva Duncan	#302	Pawnee/Sac & Fox	Meeker, OK	2. Jessica Ann Hood	#679	Shawnee	Shawnee, OK
3. Verna Wedgepeeth	#308	Cherokee	Hollister, NC	3. Brittany McCauley	#688	Omaha	Wolf Hill, NB
Golden Age Men—13				Junior Girls Cloth Dress—21			
1. Patrick Spottedwolf	#506	Arapaho	Bessie, OK	1. Nivy Starr	#728	Sac & Fox	Stroud, OK
2. Donald 'Duck' Marland	#512	Sac & Fox	Shawnee, OK	2. Erin Chibitty	#747	Comanche/Creek/Seminole	Moore, OK
3. Darrell Moore	#513	Pawnee/Otoe	Glenn Heights, TX	3. Jennifer Kishketon	#729	Seminole/Sac & Fox	Shawnee, OK
4. Floyd Moses	#507	Pawnee	Anadarko, OK				
5. Charles J. Duncan	#505	Potawatomi	Meeker, OK				
6. Henry Tomahsah	#510	Comanche	Apache, OK				
Golden Age Women—19							
1. Georgia Tiger	#526	Sac & Fox	Stroud, OK				
2. Sandra Spottedwolf	#530	Cheyenne/Comanche	Bessie, OK				
3. Lorraine Segwing	#544	Otoe	Red Rock, OK				

IN THE NEXT ISSUE: LOTS OF PHOTOS, STORIES AND MORE ABOUT THE 25TH ANNUAL CITIZEN POTAWATOMI POW WOW AND RELATED ACTIVITIES!



First Place Team From The U.S. Attorney's Office in Muskogee



This Group Was Among The Happy Golfers

Law enforcement officers golf for scholarship money

It took a post-tournament chip-off to decide the winner of the Second Annual Oklahoma Native American Law Enforcement Association Golf Tournament, held in early June at the Citizen Potawatomi Nation's FireLake Course.

A team headed by First Assistant U.S. Attorney Sheldon J. Sperling of Oklahoma's Eastern District in Muskogee, finished the 18 holes tied at 14 under par with a team from the Lawton area. The other three members of the victorious team are Mike Littlefield, Dennis A. Fries and Danny Brown.

The runner-up team is comprised of Ron Niedo, assistant chief of the Comanche Police Department; Robert Komahcheet, Eric Komahcheet and Ramond Papchko.

More important, though, was the money raised for scholarships for Native American youth who are contemplating a law enforcement career — and the very good time enjoyed by all.

Walter Lamarr (Blackfeet/Wichita) is President of the Association. "Our chapter in Oklahoma is just that, a chapter of the National Native American Law Enforcement Association," Lamarr explained.

"We have our own Executive Committee, comprised of a President; Vice

President Randy Pierce of the Tulsa County Sheriff's Office; Treasurer Jim Wellman of the United States Marshal's Service; and, Sergeant-at-Arms Rick Herrell and Secretary Barbara Kennedy, both of the Tulsa County Sheriff's Office," Lamarr explained.

Lamarr outlined the Association's goals: "I would like to urge Native Americans in law enforcement to take an interest in our organization. It's a fraternal organization. Our primary goal is to promote Native Americans in law enforcement, through training, camaraderie, through meetings — to be able to look after each other."

"Aside from these aims, one of our very important goals is to work with young people," Lamarr told the *HowNiKan*. "It's very, very important that the young people see that there are some positive role models from the Indian community who are in law enforcement, and it's important to see those folks on a first-hand basis."

Lamarr said that these concerned, committed Native Americans are also very interested in doing their part to make it possible for deserving Young Native Americans to pursue an advanced education.

"That's the very reason that we have this golf tournament, to raise money for



The Runner-Up Team

a scholarship for a deserving Native American youngster who might be interested in law enforcement."

The scholarship is awarded once each year, to the winner of an essay contest.

The Oklahoma Native American Law Enforcement Association is in its fourth year of existence. But, progress toward meeting the Association's goals was slowed by the individual members' and leaders' involvement in the investigation of the Murrah Federal Building bombing in Oklahoma City on April 19, 1995.

Anyone who is interested in joining the Oklahoma Native American Law Enforcement Association or the parent National Native American Law Enforce-

ment Association can call Lamarr at 405-290-3654.

More information about the National Native American Law Enforcement Association is available on its Internet website. "You just need to plug in 'National Native American Law Enforcement Association' into your search engine," Lamarr explained.

Membership is open to all enrolled Native Americans who are employed in law enforcement. Non-Native Americans in law enforcement and Native Americans and others who are not in a law enforcement field can join as non-voting, associate members.

Association dues are just \$10 a year.

Nottawaseppi Huron Potawatomi make headway with plans for sixth Gathering

(Battle Creek, MI) — With the appointed hour for the Sixth Annual Gathering of the Potawatomi Nations less than two months in the future, the Nottawaseppi Huron Band of Potawatomi are making steady progress on preparations.

Elders, elected officials, and other members of the seven Potawatomi nations will gather in the northern forest from Thursday, August 27, through Sunday, August 30. Those seven Nations

are: the Citizen Potawatomi, the Nottawaseppi Huron Band of Potawatomi, the Forest County Potawatomi, the Hannahville Indian Community, the Pokagon Band of Potawatomi, the Prairie Band of Potawatomi, and the Walpole Island First Nation.

Recently having earned federal recognition, the Nottawaseppi Huron band has a six-county jurisdiction area in Southwest Michigan. The Huron Tribal Headquarters is on the Pine Creek Reservation,

a few miles north of Battle Creek, Michigan.

Battle Creek is famous as the hometown of the Kellogg's Cereal Company.

Information supplied by the Huron Band highlights three Battle Creek motels. The Holiday Inn Express (telephone number 616-965-3201) offers an \$89-a-night rate. The room rental price at the Quality Inn and Suites (616-964-3000) is \$59.95. It's \$50 at the Super 8 Motel (616-979-1828).

There are also a Days Inn (616-979-

3561) and the Battle Creek Inn (616-979-1100) in Battle Creek.

Anyone wanting more information about the Gathering can call Toni A. Medawis, Tribal Administrative Assistant, at 616-729-5151 or Helen Hillman, of the Hurons' 1998 Gathering Committee, at 888-662-2809.

(Editor's Note: The July edition of the *HowNiKan* will feature a more detailed story about activities planned for the Gathering, the Nottawaseppi Huron Band of Potawatomi, their Chief Terry Chivas, and that area.)